

37<sup>th</sup> Dec.

1. Introduced by Mr. Secrest, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891. Rules suspended, and ordered to a second reading and to be printed.

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## A BILL

For an act to provide for the incidental expenses of the 37th General Assembly, of the State of Illinois, and for the care and custody of the State House and grounds, incurred or to be incurred, and now unprovided for.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the sum of ten thousand dollars (\$10,000), or  
3 so much thereof as may be required, is hereby appropriated to pay the in-  
4 cidental expenses of the Thirty-seventh General Assembly, or either branch  
5 thereof, or by the Secretary of State in the discharge of the duties imposed  
6 on him by law, or by the direction of the General Assembly, or either branch  
7 thereof; all expenditures to be certified to by the Secretary of State and  
8 approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed  
2 to draw his warrant upon the State Treasurer for the sum herein specified,  
3 upon presentation of the proper vouchers, and the State Treasurer shall pay  
4 the sum out of any funds in the State treasury not otherwise appropriated.

§ 3. Whereas, the appropriation above recited is necessary for the ex-  
2 penses incurred, for the transaction of the business of the State and the  
3 General Assembly, therefore an emergency exists, and this act shall take effect  
4 from and after its passage.





1. Introduced by Mr. Secrest, January 8, 1891, and ordered to first reading.
  2. First reading January 8, 1891. Rules suspended, and ordered to a second reading and to be printed.
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## A BILL

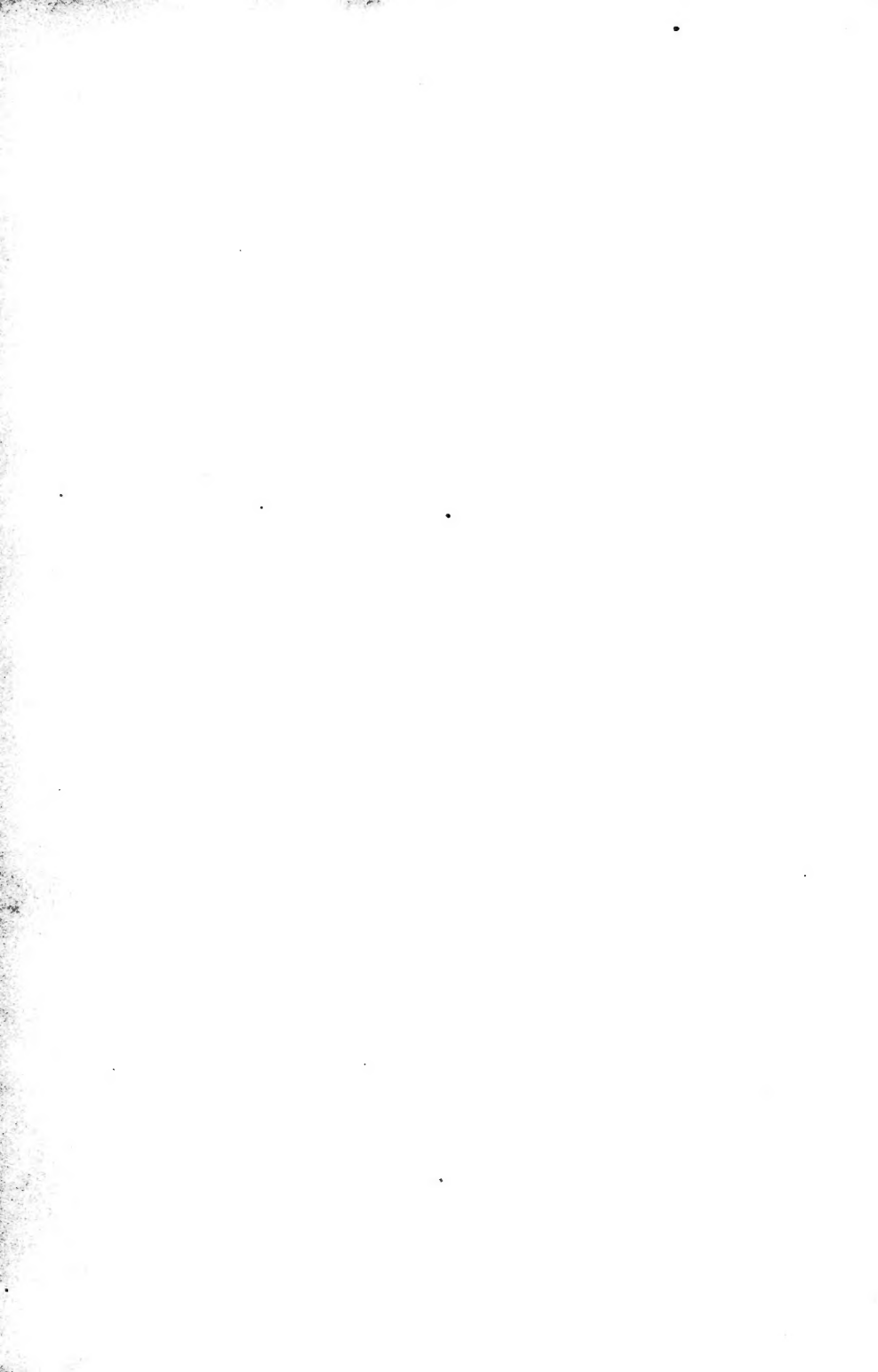
For an act to provide for the necessary expenses of the State government, incurred or to be incurred, for the public printing, and now unprovided for, until the first day of July, A. D. 1891.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the following sum, or so much thereof as may be necessary, be and the same is hereby appropriated, for the purpose hereinafter specified, to meet the necessary expenses of the State government, incurred or to be incurred, and now unprovided for, until the first day of July, 1891, to-wit: The sum of fifteen thousand dollars (\$15,000) for public printing, to be paid upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the treasury for the sum herein appropriated, upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

§ 3. Whereas, the above appropriation is necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.



1. Introduced by Mr. Shumway, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act entitled an act to create a board of commissioners for the purpose of securing for use in the common schools of the State of Illinois of a uniform series of text books, defining the duties of certain officers therein named with reference thereto, making appropriations therefor, defining certain felonies and misdemeanors, providing penalties for the violation of the provisions of said act, repealing all laws in conflict therewith, and declaring an emergency.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That the Superintendent of Public Instruction, the  
3 Regent of the University of Illinois, the President of the Normal Univer-  
4 sity at Normal, and the President of the Southern Normal University at  
5 Carbondale shall be and are hereby declared to be a State text book  
6 board of commissioners, of which the Superintendent of Public Instruction  
7 shall be chairman. They shall meet on the first Monday of July, 1891,  
8 and thereafter they shall hold stated meetings at such time and place as  
9 they may determine. At any time the chairman, or any two members, may  
10 call a special meeting of the board. Three members shall constitute a  
11 quorum and may do and perform all the duties to be done and performed

12 by them by this act of the General Assembly. They shall transact all  
 13 business at stated or special meetings, and shall cause to be kept a record  
 14 of its proceedings.

§ 2. The State text book board of commissioners shall, within the period  
 2 of one year from the time of its first meeting, make a selection, or procure  
 3 the compilation for use in the common schools of the State of Illinois, of  
 4 a uniform series of text books in the following branches of study, namely:  
 5 spelling, reading, arithmetic, geography, English grammar, physiology,  
 6 history of the United States and a graded series of writing books. The  
 7 matter contained in the readers shall consist of lessons commencing with  
 8 the simplest expression of the language, and by a regular gradation, ad-  
 9 vancing to and including the highest styles of composition, both in poetry  
 10 and prose: *Provided*, that none of said text books shall contain anything  
 11 of a partisan or sectarian character: *And provided, further*, that the fore-  
 12 going books shall be at least equal in size and quality as to matter,  
 13 material, style of binding and mechanical execution to the following text  
 14 books now in general use, namely: The speller to Eclectic spelling book,  
 15 the readers to McGuffey's series of readers, the arithmetics to Ray's new  
 16 arithmetic series, the geographies to the Eclectic series of geographies, the  
 17 grammar to Harvey's grammar, the physiology to the Eclectic physiology,  
 18 the history of the United States to the Eclectic history of the United  
 19 States and the writing books equal to the Eclectic copy books.

§ 3. The said State text book board of commissioners shall, immediately  
 2 upon the taking effect of this act, advertise for twenty-one consecutive days  
 3 in two daily papers published in this State, having the largest circulation,  
 4 and in one newspaper of general circulation in the cities of New York,  
 5 Philadelphia, Cincinnati, Indianapolis and St. Louis, that at a time and  
 6 place to be fixed by said notice, and not later than six months after the  
 7 first publication thereof, said board will receive sealed proposals on the  
 8 following:

9 First. From publishers of school text books, for furnishing books to the  
 10 school trustees of the State of Illinois for use in the common schools of  
 11 this State, as provided in this act, for a term of five years, stating specifi-  
 12 cally in such bid the price at which each book will be furnished, and  
 13 accompanying such bid with specimen copies of each and all books proposed  
 14 to be furnished in such bid.

15 Second. From authors of school text books, who have manuscripts of  
 16 books not published, for prices at which they will sell their manuscript,  
 17 together with the copyright of such books for use in the public schools of  
 18 the State of Illinois.

19 Third. From persons who are willing to undertake the compilation of a  
 20 book or books, or a series of books, as provided for in section two (2) of  
 21 this act, the price at which they are willing to undertake such compilation  
 22 of any or all of such books, to the acceptance and satisfaction of the said  
 23 board of commissioners: *Provided*, that any and all bids by publishers,  
 24 herein provided for, must be accompanied by a bond in the penal sum of  
 25 fifty thousand dollars, with resident freehold surety, to the acceptance and  
 26 satisfaction of the Governor of this State, conditioned that if any contract  
 27 be awarded to any bidder hereunder such bidder will enter into a contract  
 28 to perform the conditions of his bid to the acceptance and satisfaction of  
 29 said board: *And provided further*, that no bid shall be considered unless  
 30 the same be accompanied by the affidavit of the bidder that he is in no  
 31 wise, directly or indirectly, connected with any other publisher or firm who  
 32 is now bidding for books submitted to such board, nor has any pecuniary  
 33 interest in any other publisher or firm bidding at the same time, and that  
 34 he is not a party to any compact, syndicate or other scheme whereby the  
 35 benefits of competition are denied to the people of this State: *And provided*,  
 36 that if any competent author or authors shall compile any one or more  
 37 books of the first order of excellence, and shall offer the same as a free  
 38 gift to the people of this State, together with the copyright of the same

39 and the right to manufacture and sell such works in the State of Illinois  
40 for use in the public schools, it shall be the duty of such board of com-  
41 missioners to pay no money for any manuscript or copyright for such book  
42 or books on the subject treated of in the manuscript so donated; and such  
43 board shall have the right to reject any and all bids, and at their option  
44 such board shall have the right to reject any bid as to a part of such  
45 books, and to accept the same as to the residue thereof.

§ 4. It shall be the duty of such board to meet at the time and place  
2 mentioned in such notice, and open and examine all sealed proposals pur-  
3 suant to the notice provided for in section three (3) of this act, and it shall  
4 be the further duty of such board to make a full, complete and thorough  
5 investigation of all such bids or proposals, and to ascertain under which of  
6 such proposals or propositions the school books could be furnished to the people  
7 of this State for use in the common schools at the lowest price, taking into  
8 consideration the size and quality as to matter, material, style of binding  
9 and mechanical execution of such books.

§ 5. If, upon examination of such proposals, it shall be the opinion of  
2 such board of commissioners that such books can be furnished cheaper to  
3 the patrons for use in the common schools in this State by procuring and  
4 causing to be published the manuscript of any or all of such books, it shall  
5 be their duty to procure such manuscript, and to advertise for sealed pro-  
6 posals for publishing the same, in like manner as hereinbefore provided,  
7 and under the same conditions and restrictions. And such contract may  
8 be let for the publication of all such books, or for any one or more of  
9 such books separately; and it shall be the further duty of such board of  
10 commissioners to provide, in the contract for the publication of any such  
11 manuscript, for the payment by the publisher of the compensation agreed  
12 upon between such board and the author or owner of any such manuscript  
13 for such manuscript, together with the cost or expense of copyrighting the  
14 same.

§ 6. It shall be a part of the terms and conditions of every contract  
2 made in pursuance of this act that the State of Illinois shall not be liable  
3 to any contractor hereinafter for any sum whatever; but that all such con-  
4 tractors shall receive their pay and compensation solely and exclusively  
5 from the proceeds of the sale of the books, as provided for in this act.

§ 7. As soon as such board shall have entered into any contract for the  
2 furnishing of books for use in the public schools of this State, pursuant to  
3 the provisions of this act, it shall be the duty of the Governor to issue his  
4 proclamation announcing such fact to the people of this State.

§ 8. When such proclamation shall have been duly issued, it shall be the  
2 duty of the school trustees of each and every school corporation in this  
3 State, within thirty days thereafter, and at such other times as books may  
4 be needed for use in the public schools of their respective corporations, to  
5 certify to the county superintendent of their respective counties the number  
6 of school text books provided for in such contract required by the children  
7 for use in the schools of their several school corporations. Such county  
8 superintendent shall forthwith make such requisition for books as the  
9 schools in the said several counties may require, upon the State Superin-  
10 tendent of Public Instruction, and the said Superintendent of Public In-  
11 struction shall immediately thereafter make a requisition for said books  
12 upon the contractor, who shall, within ninety days, ship the books so  
13 ordered directly to the county school superintendents of the several counties  
14 of this State. Upon the receipt of such books it shall be the duty of such  
15 county school superintendents to immediately notify all the school trustees  
16 of the school corporations, as shown by the last school enumeration of their  
17 counties, of the receipt of such books. It shall then be the duty of such  
18 school trustees to immediately procure and take charge and custody of all  
19 the books assigned to their several school corporations, receipting therefor  
20 to the said county school superintendent; and upon the receipt of such  
21 books by said school trustees, they shall furnish them on demand to the



22 school patrons or school children of their respective corporations at the  
 23 price fixed therefor by the contract entered into between said board of  
 24 commissioners and said contractor, and it shall be the duty of such school  
 25 officers to sell such books for cash only; and if they shall sell or dispose of  
 26 any books other than for the cash price thereof, they shall be held per-  
 27 sonally liable, and liable upon their official bond for the price of such book  
 28 or books: *Provided*, that any patron or pupil of any school or schools other  
 29 than the public schools, and also any child between the ages of six and  
 30 twenty-one years of age, or the parent, guardian or teacher of such child,  
 31 shall have the right to purchase and receive the books, and at the prices  
 32 herein named, by payment of the cash price thereof to the school superin-  
 33 tendent of any county in this State, and it is hereby made his duty to  
 34 make requisition upon the contractor for any and all books so ordered and  
 35 paid for by any such person or persons: *And provided, further*, that noth-  
 36 ing in this act shall operate to prevent the State text book board of com-  
 37 missioners, boards of school trustees or boards of school commissioners from  
 38 devising means and making arrangements for the sale, exchange or other  
 39 disposition of such books as may be owned by the pupils of the schools  
 40 under their charge at the time of the adoption of books under the pro-  
 41 visions of this act: *And provided, further*, that all expense of conveying said  
 42 school books, from the county superintendent to the place of their use,  
 43 shall be certified to and charged to the school fund.

§ 9. At the expiration of three months after the receipt of such books  
 2 by the county superintendent, and every three months thereafter, it shall  
 3 be the duty of each school trustee receiving and chargeable with books  
 4 under the provisions of this act, to make a full and complete report to the  
 5 county superintendent of the number of books sold and the amount of  
 6 money received therefor, and the number of books on hand, and at the  
 7 time of making such report he shall pay over to the county superintendent  
 8 all monies received by him or with which he is chargeable, from the sales

9 of books in his hands; which report shall be duly verified by the oath of  
10 the county auditor.

10. That the execution of ten days from the time required by this  
2 act for the making of such report of any school superintendent chargeable  
3 with books under this act, any such officer shall have failed, neglected, or  
4 refused to make such report, or turn over any monies with which he  
5 is chargeable, it shall be the duty of the county school superintendent,  
6 within fifteen days, to enter suit upon his official bond for an accounting  
7 and recovering of any monies due from him on account of such books with  
8 which he is chargeable; and all judgments recovered upon such bonds shall  
9 include a reasonable attorney's fee for the attorney prosecuting such suit;  
10 and such judgments shall be without relief from valuation or appraisement  
11 laws and shall be without stay of execution.

11. It shall be the duty of the several county school superintendents  
2 of this State, within thirty days from the issuing of the proclamation by  
3 the Governor as hereinbefore provided for, and of every county school  
4 superintendent hereafter elected, before he enters upon the discharge of his  
5 official duties, to enter into a special bond, with at least two freehold sure-  
6 ties, to be selected by the county, payable to the State of Illinois, conditioned that they  
7 shall faithfully and honestly perform all the duties required of them by this  
8 act, and account for and pay over all monies that may come into their  
9 hands pursuant to the provisions of this act, in a penal sum which shall  
10 be at least equivalent to one hundred dollar for every one thousand inhabi-  
11 tants of their respective counties, as shown by the last census immediately  
12 preceding the giving of such bond, to be approved by the board of com-  
13 missioners or supervisors of their respective counties; and upon the failure  
14 of any county school superintendent to give such bond, his office shall im-  
15 mediately become vacant, and the board of commissioners or supervisors of  
16 his county shall immediately appoint some competent and suitable person  
17 to fill such vacancy for the unexpired term of his office.

§ 12. It shall be the duty of each county school superintendent in this State, within ten days after the quarterly reports of the school trustees, as hereinbefore provided for, to make a full, true, complete and detailed report to the contractor of all books sold by the several school trustees of his county, and of the number of books in the hands of the trustees of each school corporation, which report shall be accompanied by all cash received by him from the school officers from the sales of books by them sold, and which report shall be duly verified by him, and a duplicate thereof shall be filed in the office of the treasurer of his county. Upon the failure of any county school superintendent to make the report and to transmit the cash, as required by this section, a right of action shall immediately accrue to the contractor against the said school superintendent and the sureties upon the bond provided for in this act, for an accounting and for the recovery of any monies received and not transmitted by him, and for any damages which may have resulted from his neglect or failure to comply with the provisions of this act, and any judgment upon any such bond shall include a reasonable fee for the attorney prosecuting such suit, and such judgment shall be without relief from valuation and appraisal and shall be without stay of execution.

§ 13. Any school trustee charged with the sales of any books under the provisions of this act, who shall directly or indirectly demand or receive for any book or books any money in excess of the contract price, as hereinbefore provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten nor more than one hundred dollars, to which may be added imprisonment in the county jail for a term not exceeding sixty days.

§ 14. Any county school superintendent or trustee of any township or school corporation in this State who shall fraudulently fail or refuse, at the expiration of the term for which he was elected or appointed, or any time during such term, when legally required by the proper person or au-

5 thority, to account for and deliver and pay over to such person or persons  
6 as may be lawfully entitled to receive the same, all monies or school books  
7 which may have come into his hands by virtue of the provisions of this  
8 act, shall be deemed guilty of embezzlement, and upon conviction thereof  
9 shall be imprisoned in the State prison for any period not more than five  
10 years nor less than one year, and fined in any sum not exceeding one  
11 thousand dollars, and rendered incapable of holding any office of trust or  
12 profit for any determinate period.

§ 15. The sum of one thousand dollars is hereby appropriated out of any  
2 funds in the State treasury not otherwise appropriated for the purpose of  
3 paying the cost and expenses incident to the giving of the notices herein  
4 provided for and carrying out the provisions of this act. All laws and  
5 parts of laws in conflict with the provisions of this act are hereby re-  
5 pealed.

§ 16. Whereas an emergency exists for the immediate taking effect of this  
2 act, therefore it shall be in force from and after its passage.



1. Introduced by Mr. Thomas, January 8, 1891, and ordered to first reading.
  2. First reading January 8, 1891, and referred to Committee on Corporations.
  3. Reported back April 10, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to amend chapter thirty-two (32) of the revised statutes of the State of Illinois, relating to corporations.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the word "extend" be stricken from section  
3 nine (9) of chapter thirty-two (32) of the revised statutes relating to corpo-  
4 rations, and that section ten (10) of said chapter be so amended as to read:  
5 "Any corporation organized under this or any other law of the State of  
6 Illinois, whose powers may expire by limitation or otherwise, shall, before  
7 such expiration, be authorized to renew such powers for a term of years  
8 not exceeding that for which such corporation was originally organized, by  
9 filing with the Secretary of State a certificate of such renewal, signed by  
10 the president and secretary of such corporation and issued by it in pursuance  
11 of the vote of a majority of the stock thereof; and that after the final ex-  
12 piration of such powers of such corporation it shall continue its corporate  
13 capacity during the further term of two years thereafter for the sole  
14 purpose of collecting and discharging the debts due or coming due to or  
15 from such corporation and selling and conveying the property and effects  
16 thereof."



1. Introduced by Mr. Thomas January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Judiciary.
3. Reported back February 5, 1891, and referred to Committee on Municipalities.
3. Reported back May 6, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the incorporation, management and regulation of pawnners' societies, and limiting the rate of compensation to be paid for advances, storage and insurance on pawns and pledges in certain cases.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That corporations may be formed in the manner  
3 provided in this act for the purpose of transacting the business of making  
4 advances of money on pawns and pledges.

§ 2. Whenever any number of persons, not less than three nor more than  
2 seven, shall propose to form a corporation under this act, they shall make a  
3 statement to that effect under their hands, and duly acknowledge the same  
4 before some officer, in the manner provided for the acknowledgment of  
5 deeds, setting forth the name of the proposed corporation, the object for  
6 which it is to be formed, and the amount of its capital stock, which shall  
7 not be less than twenty-five thousand dollars, and not exceed one million  
8 dollars, the number of shares of which such stock shall consist, the location  
9 of the principal office, and the duration of the corporation, not exceeding,  
10 however, ninety-nine years, which statement shall be filed in the office of



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11 the Secretary of State. The Secretary of State shall thereupon issue to  
12 such persons a license as commissioners to open books for subscription to  
13 the capital stock of said corporation, at such times and places as they may  
14 determine, but no license shall be issued to two corporations under the  
15 same name.

§ 3. As soon as may be after the capital stock shall have been subscribed,  
2 the commissioners shall convene a meeting of the subscribers for the  
3 purpose of electing directors, and the transaction of such other business as  
4 shall come before them. Notice thereof shall be given by depositing in the  
5 postoffice, properly addressed to each subscriber, at least ten days before  
6 the time fixed, a written or printed notice, stating the object, time and  
7 place of such meeting. In all elections for directors of corporations organized  
8 under this act, every subscriber or stockholder shall have the right to  
9 vote in person or by proxy for the number of shares owned or sub-  
10 scribed by him, for as many persons as there are directors to be elected,  
11 or to cumulate such shares and give one candidate as many votes as the  
12 number of directors multiplied by the number of his shares of stock  
13 shall equal, or to distribute them on the same principle among as many  
14 candidates as he shall think fit, and such directors shall not be elected in  
15 any other manner. The Governor shall annually appoint one director in  
16 each corporation organized under this act, and the mayor of any city in  
17 which said corporation shall have its principal office shall annually appoint  
18 one director in each corporation so located, in addition to the directors  
19 elected by the stockholders, which said directors so appointed as aforesaid  
20 shall respectively hold their office for one year from the date of their appoint-  
21 ment respectively, and until their successors are appointed, which said  
22 directors so appointed shall not be interested as stockholders or otherwise  
23 in said corporation or association. It shall be lawful for any such cor-  
24 poration by resolution of the stockholders to divide its directors so elected  
25 as aforesaid into three classes, numbered consecutively, the term of office

26 of the first class to expire on the day of the annual election of said cor-  
 27 poration then next ensuing, the second class one year thereafter, and the  
 28 third class two years thereafter. At each annual election after such classi-  
 29 fication, the stockholders of such corporation shall elect, for a term of three  
 30 years, a number of directors equal to the number in the class whose term  
 31 expires on the day of such election. All vacancies shall be filled in ac-  
 32 cordance with the by-laws of the corporation.

§ 4. The commissioners shall make a full report of their proceedings,  
 2 including therein a copy of the notice provided for in the foregoing section,  
 3 a copy of the subscription list, and the names of the directors elected, and  
 4 their respective terms of office, which report shall be sworn to by at least  
 5 a majority of the commissioners, and shall be filed in the office of the Sec-  
 6 retary of State. The Secretary of State shall thereupon issue a certificate  
 7 of the complete organization of the corporation, making a part thereof a  
 8 copy of all papers filed in his office, in and about the organization of the  
 9 corporation, and duly authenticated under his hand and seal of State, and  
 10 the same shall be recorded in a book for that purpose, in the office of the  
 11 recorder of deeds of the county where the principal office of such corpora-  
 12 tion is located. Upon the recording of the said copy, and the payment by  
 13 the subscribers to the capital stock of their respective subscriptions to said  
 14 stock, the corporation shall be deemed fully organized, and may proceed to  
 15 business, as provided in this act, within two years after the date of such  
 16 license, then such license shall be deemed revoked, and all proceedings  
 17 thereunder void.

§ 5. Any corporation formed under this act with a capital stock of less  
 2 than one million dollars, may, at any time during the existence of said  
 3 corporation, increase its capital stock in the manner prescribed by its own  
 4 rules or by-laws, but no such change shall be of legal effect until a certifi-  
 5 cate thereof, under seal of such corporation, shall be filed in the office of  
 6 the Secretary of State, and recorded in the office of the recorder of deeds in

7 which the original certificate was recorded: *Provided*, that the total capital  
 8 stock of such corporation, when so increased, shall not exceed in amount  
 9 said sum of one millio. dollars.

§ 6. Corporations formed under this act shall be bodies corporate and  
 2 politic for the period for which they are organized, and they shall be  
 3 subject to the duties and possess the following powers, that is to say,  
 4 they may sue and be sued, and may have a common seal which they may  
 5 alter and renew at pleasure, may own, possess and enjoy so much real and  
 6 personal estate as shall be necessary for the transaction of their business,  
 7 and may sell and dispose of the same when not required for the use of  
 8 the corporation, and may declare dividends upon the stock from the earn-  
 9 ings and income of such corporation, and may advance money upon goods,  
 10 chattels and savings bank deposit books pledged and deposited with said  
 11 corporation to secure the payment respectively of said advances.

§ 7. Said coporation may have and maintain in the city in which it  
 2 shall have its principal office one or more branch offices or places of business  
 3 for the transaction of its business.

§ 8. When the corporation has disposable funds it shall make ad-  
 2 vances on all goods and chattels and savings bank deposit books offered,  
 3 embraced within its rules and regulations, in the order in which they are  
 4 offered, with this exception, that the corporation may always discriminate  
 5 in favor of small advances to the indigent. It may advance up to three-  
 6 fourths of the appraised value on gold and silver plate and ware, and sav-  
 7 ings bank deposit books, and two-thirds of such value on all other goods  
 8 and chattels as aforesaid.

§ 9. The government of the corporation and management of its affairs  
 2 shall be in seven directors, five of whom shall be chosen by the stockhold-  
 3 ers in the manner hereinbefore provided, together with one to be appointed  
 4 by the Governor of the State, and one to be appointed by the mayor of the  
 5 city in which said corporation shall have its principal office (if located in

6 a city), and the board thus created shall elect one of their number presi-  
7 dent and such other officers as may be deemed necessary. Said board shall  
8 from time to time appoint and always keep in their employment one or  
9 more appraisers, whose duty it shall be to appraise and value all goods,  
10 chattels and savings bank deposit books presented and offered by any pro-  
11 posed pawnor or pledger, and every such appraiser, before entering upon  
12 the duties of his employment, shall be sworn to fairly and impartially ap-  
13 praise and value such goods, chattels and savings bank deposit books.

§ 10. All advances made by any corporation organized under this act  
2 shall be for a time fixed and agreed between the parties, which shall not  
3 be longer than one year, and the pawnor or pledger shall have the right to  
4 redeem his property pledged at any time within the period so fixed and  
5 agreed on, paying the proportionate rate of compensation up to the time of  
6 the offer to redeem. The compensation to be charged by such corporation  
7 to any pawnor or pledger desiring to redeem or repossess his pawn or pledge  
8 may be equal to but shall not exceed the rate of two per cent. per month  
9 upon the money advanced upon such pawn or pledge, when the amount  
10 loaned is \$50 or less; when over \$50 and under \$100, one and one-half per  
11 cent. per month; and when \$100 or over, one per cent. per month, in addi-  
12 tion to a charge not exceeding one-half of one per cent. per month for  
13 storage and insurance; but in no event shall the amount loaned to any one  
14 person exceed the sum of five hundred dollars.

§ 11. If in any case such corporation shall, as a condition of redemption,  
2 charge to the pledger or pawnor applying to redeem on or before the  
3 day fixed for the redemption of the pawn or pledge any sum in excess of the  
4 amount herein authorized to be charged, such corporation shall thereby  
5 forfeit all claim to and lien upon such pawn or pledge, and shall deliver  
6 such pawn or pledge on demand to such pawnor or pledger, his legal rep-  
7 resentatives or assigns, and in default of so doing, such pawnor or pledger,  
8 or his legal representatives or assigns, may recover the possession of such

907 pawn or pledge by action of réplevin, or, at his election, may recover from  
 908 such corporation the value of such pawn or pledge in an action therefor.  
 909 § 12. If the property pledged is not redeemed within the time fixed  
 910 and agreed, the same shall be sold at public auction without redemption,  
 911 under the direction of said corporation, to the highest bidder for cash,  
 912 at which sale such corporation may be a bidder and a purchaser, and  
 913 the net surplus of the proceeds of such sale, after paying the costs of  
 914 the sale, the amount of advances and the agreed amount for compensa-  
 915 tion, storage and insurance aforesaid, shall be paid to the pawner or pledger,  
 916 his legal representatives or assigns, on demand at any time within one year  
 917 after such sale. The times, places and notices of such sales shall be regu-  
 918 lated by the by-laws of the corporation. In case, however, the savings bank  
 919 deposit book pledged to the corporation shall not be redeemed within the  
 920 time fixed and agreed therefor, it shall not be necessary for the corporation  
 921 to sell the same at public auction, but said corporation may convert the  
 922 same, or so much thereof as may be necessary to pay the advances and the  
 923 agreed rate for compensation, storage and insurance, as aforesaid, in such  
 924 mode and at such time as in the judgment of the directors will best secure  
 925 the interest of all parties holding the net surplus for one year, as above,  
 926 for the pawner or pledger, his legal representatives or assigns.

§ 13. If the pawner or pledger, his legal representatives or assigns, shall  
 927 not, within one year after such sale, or after such disposition of such savings  
 928 bank deposit book, make demand of said corporation for the payment of  
 929 any such net surplus as aforesaid, then and thenceforth his right to and  
 930 interest in said surplus shall cease and be extinguished, and said corpora-  
 931 tion shall hold such surplus in trust as follows: Once in each year, at a  
 932 date to be fixed by the by-laws of such corporation, the said corporation  
 933 shall pay over to one or more (according as the directors may determine) of  
 934 the incorporated asylums, half-orphan asylums, or other incorporated insti-  
 935 tutions for the care of children, existing in the county in which the princi-

11 pal office of the corporation is situated, to be used for the benefit of each  
 12 institution or institutions, the aggregate amount of all the net surpluses  
 13 that shall then have remained uncalled for for more than one year after  
 14 such sales or such disposition of savings bank deposit books as aforesaid.  
 15 But if there be no such incorporated institution in such county, then such  
 16 aggregate amount of such net surpluses shall be paid to the county treas-  
 17 urer of such county for the use of such county.

§ 14. Corporations organized under this act shall give to each pawner or  
 2 pledger a card inscribed with the name of the company, the article or articles  
 3 pawned, the name of the pawner or pledger, the amount of the advances,  
 4 the rate of compensation, and of storage and insurance to be paid therefor  
 5 on redemption, the date when made, the date when the time of redemption  
 6 expires, and the page of the book where recorded;

§ 15. The president and directors of every corporation organized under  
 2 this act shall annually, in the month of October, report to the Governor of  
 3 the State full and accurate statistics of the operations and condition of  
 4 such corporation for the year expiring on September 30, in the same year.

§ 16. The stockholders of corporations organized under this act may  
 2 establish such by-laws, rules and regulations for conducting the business of  
 3 such corporations as they may deem necessary, not inconsistent with this  
 4 act or the constitution or laws of this State.

§ 17. The stock of such corporation shall be transferable only at the  
 2 principal office of such corporation, and on their books.

§ 18. The number of directors of corporations organized under this act  
 2 shall not be increased or diminished, or their term of office changed, with-  
 3 out the consent of the owners of a majority of the shares of stock. The  
 4 directors may require of the officers, managers and agent, bonds, with such  
 5 sureties and conditions as they shall deem proper, and may remove any  
 6 officer, manager or agent when, in their judgment, the interests of the  
 7 corporation may require it. The officers shall hold their respective offices  
 8 for the period provided by the by-laws.

§ 19. No corporation organized under this act shall have any banking powers, whether of issue, deposit or discount, and no right of action shall exist in favor of such corporation against any pledger or pawner aforesaid, for the recovery of any moneys so advanced, and no obligation shall be incurred by such pawner or pledger for the payment of such advance to him as aforesaid, and the only recourse that shall be had by such corporation for the reimbursement of its advances, compensation, insurance and storage aforesaid, shall be the sale of the property pawned or pledged, and the application of the proceeds of such sale in the manner hereinbefore provided.

§ 20. All provisions of the existing laws relating to corporations which are not inconsistent with the provisions of this act, and which are in their nature applicable to corporations organized under this act, shall apply to corporations so organized.

1. Introduced by Mr. Fuller, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments March 4, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act in relation to cemeteries.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That all cemetery associations, or companies  
3 incorporated for cemetery purposes, by any general or special law of this  
4 State, may acquire by purchase, gift or devise, and may hold, own and  
5 convey for burial purposes only, so much land as may be necessary for use  
6 as a burial place for the dead.

§ 2. Whereas an emergency exists therefore this act shall take effect and  
2 be in force from and after its passage.

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### AMENDMENT PROPOSED BY COMMITTEE ON JUDICIARY.

Amended by adding after the word "necessary" in the last line of section  
2 one, the following, "not exceeding twenty acres."





1. Introduced by Mr. Hamer, January 8, 1891, and ordered to first reading.
  2. First reading January 8, 1891, and referred to Committee on License and Miscellaneous.
  3. Reported back February 26, 1891, and ordered to be printed for the Committee.
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## A BILL

For an act to amend section 1 of an act entitled "An act to restrict the powers of counties, cities, towns and villages in licensing dram shops, to provide for granting a license to retail malt liquors separately, and for punishing persons holding such separate license for unlawful sale and gifts," approved June 15, 1883, in force July 1, 1883.

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### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That section 1 of an act entitled "An act to restrict  
3 the powers of counties, cities, towns and villages in licensing dram shops,  
4 to provide for granting a license to retail malt liquors separately, and for  
5 punishing persons holding such separate license for unlawful sale and gifts,"  
6 approved June 15, 1883, in force July 1, 1883, be and the same is hereby  
7 amended so as to read as follows.

Section 1. That hereafter it shall not be lawful for the corporate  
2 authorities of any city, town or village in this State to grant a license for  
3 the keeping of a dram shop, except upon the payment, in advance, into  
4 the treasury of the county in which the said city, town or village granting  
5 the license may be located, such sum as may be determined by the respec-  
6 tive authorities of such city, town or village, not less than at the rate of  
7 five hundred dollars (\$500) per annum: *Provided, that in all cases when a*

8 license for the sale of malt liquors only is granted, the city, town or village  
9 granting such license, may grant the same on the payment, in advance, into  
10 the said county treasury of the sum of not less than at the rate of  
11 two hundred and fifty dollars (\$250) per annum: *And provided further, that*  
12 *the city councils in cities, the board of trustees in towns, and presidents,*  
13 *and boards of trustees in villages, may grant permits to pharmacists for*  
14 *the sale of liquors for medicinal, mechanical, sacramental and chemical*  
15 *purposes only, under such restrictions and regulations as may be provided*  
16 *by ordinance. The money paid for license aforesaid shall be credited to*  
17 *and become a part of the school fund of the county in which said license*  
18 *is granted.*

1. Introduced by Mr. Crawford of Rock Island, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back February 25, 1891, and ordered to be printed for committee.

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## A BILL

For an act to regulate the charges of stock yards and enforce the same, introduced by William F. Crawford, January 23, 1889.

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### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall be unlawful for any person, company  
3 or corporation owning or operating a stock yard or stock yards in this  
4 State, where stock is bought and sold, unloaded or reloaded, to charge or  
5 collect a greater rate of yardage than twenty cents per head for cattle,  
6 horses or mules; eight cents per head for any such stock under one year of  
7 age; five cents per head for hogs or sheep, nor more than seventy-five per  
8 cent addition to the current market wholesale price for corn, hay, straw or  
9 other material supplied by them for feeding or bedding such animals, such  
10 sale to be by actual standard weight and of good merchantable quality.

11 § 2. It shall be unlawful for any such person, company or corporation to  
12 make any charges for watering or furnishing water to such stock, or for  
13 counting such stock into or out of any yard, pen, box car or stable, or to  
14 make any shift or device by which any additional cost or charges can be  
15 made for the keeping, care, custody or control of said stock as mentioned  
16 in section one of this act, or make any charge for yarding when stock is  
17 unloaded and reloaded without being sold.

§ 3. Any person, company or corporation violating the provisions of this act shall be liable to a penalty of not less than fifty dollars nor more than two hundred dollars for each offense, to be recovered in an action of debt in the name of the People of the State of Illinois, the amount so recovered to be paid into the treasury of the county in which the offense occurs, and be placed by the county treasurer to the credit of the general revenue fund of such county, but no recovery shall be had in any case for any offense committed more than sixty days prior to the commencement of this action.

§ 4. It shall be the duty of the State's attorney of such county wherein any provision or provisions of this act have been violated to institute and prosecute any and all suits upon the affidavit of the person or persons aggrieved; and in case of conviction the court shall assess, in addition to the penalty provided in section three of this act, a reasonable compensation for the services of the State's attorney.

1. Introduced by Mr. Ferguson January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back May 8, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to require owners of threshing and other machines to guard against accidents."

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section two (2) of an act entitled "An act to require owners of threshing and other machines to guard against accidents," be and the same is hereby amended to read as follows:*

Section 2. Any person owning or running any machine as mentioned in section 1 of this act, without complying with the requirements of the aforesaid section, shall be held liable to the person damaged for any damage which may be sustained by such person by reason of such neglect, and no action shall be maintained, nor shall any legal liability exist for services rendered by or with any such machine when it shall be made to appear that the first section of this act has not been complied with, and the defendant has sustained injury by reason thereof.



1. Introduced by Mr. Humphrey, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments March 6, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871, and amended and approved March 25, 1875.

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*Enacted by the People of the State of Illinois, represented in the General Assembly.* That section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871, and amended and approved March 25, 1875, be and the same is hereby amended so as to read as follows:

*SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That it shall be the duty of the judges of the circuit, superior and county courts of Cook county a majority of the judges concurring therein, on or before the first day of April, in the year of our Lord 1891, and every four years thereafter, to recommend to the Governor nine (9) fit and competent persons to fill the office of justice of the peace in the town of West Chicago; also seven (7) fit and competent persons to fill the office of justice of the peace in the town of South Chicago; also five (5) fit and competent persons to fill the office of justice of the peace in the town of North Chicago; also five (5) fit and competent persons to fill the office of justice of the peace in the town of Lake View; also five (5) fit and competent persons to fill the office of justice of the peace in the town of Jeffer-



son; also five (5) fit and competent persons to fill the office of justice of the peace in the town of Lake; also five (5) fit and competent persons to fill the office of justice of the peace in the town of Hyde Park; also three (3) fit and competent persons to fill the office of justice of the peace in that part of the town of Calumet that is annexed to the city of Chicago, all in the city of Chicago and county of Cook, and the persons thus recommended the Governor shall nominate, and by and with the advice and consent of the senate (a majority of senators elected concurring by yeas and nays) appoint justices of the peace in and for each of said towns respectively; and in case the Governor rejects any person recommended and the senate refuse to confirm any person nominated, the Governor shall give notice of such rejection or refusal to the said judges, who shall, within ten (10) days after the receiving of such notice, recommend some other fit and competent person for such appointment: *Provided*, such persons so recommended shall be electors in the town in and for which they are to be appointed such justices of the peace.

§ 2 Whereas, by reason of several towns being annexed to the city of Chicago, and no provision being made for the appointment of justices in the towns so annexed, an emergency exists, therefore this act shall take effect and be in force from and after its passage.

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**AMENDMENT PROPOSED BY SENATE COMMITTEE ON JUDICIARY  
ON SENATE BILL NO. 16.**

Amend section one in line 24 by striking out the word "April" and insert the word "May."

1. Introduced by Mr. Humphrey January 8, 1891, and ordered to first reading.
  2. First reading January 8, 1891, and referred to Committee on Judiciary.
  3. Referred back with amendments March 6, 1891, passage recommended and ordered to second reading.
  4. Second reading March 24, 1891, amended, and ordered to third reading.
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## A BILL

For an act to amend section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871, and amended and approved March 25, 1875.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act relating to justices of the peace in the city of Chicago," approved and in force March 30, 1871, and amended and approved March 25, 1875, be and the same is hereby amended so as to read as follows:

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of the judges of the circuit, superior and county courts of Cook county, a majority of the judges concurring therein, on or before the first day of May, in the year of our Lord 1891, and every four years thereafter, to recommend to the Governor nine (9) fit and competent persons to fill the office of justice of the peace in the town of West Chicago; also seven (7) fit and competent persons to fill the office of justice of the peace in the town of South Chicago; also five (5) fit and competent persons to fill the office of justice of the peace in the town of North Chicago; also five (5) fit and competent persons to fill the office of justice of the peace in the town of Lake View; also five (5) fit and

12 competent persons to fill the office of justice of the peace in the town of  
 13 Jefferson; also seven (7) fit and competent persons to fill the office of justice  
 14 of the peace in the town of Lake; also seven (7) fit and competent persons  
 15 to fill the office of justice of the peace in the town of Hyde Park; also  
 16 three (3) fit and competent persons to fill the office of justice of the peace  
 17 in that part of the town of Calumet that is annexed to the city of Chicago,  
 18 all in the city of Chicago and county of Cook, and the persons thus rec-  
 19 ommended the Governor shall nominate, and by and with the advice and  
 20 consent of the senate (a majority of the senators elected concurring by  
 21 yeas and nays) appoint justices of the peace in and for each of said towns  
 22 respectively; and in case the Governor rejects any person recommended or  
 23 the senate refuse to confirm any person nominated, the Governor shall give  
 24 notice of such rejection or refusal to the said judges, who shall, within ten  
 25 (10) days after the receiving of such notice, recommend some other fit and  
 26 competent person for such appointment: *Provided*, such persons so recom-  
 27 mended shall be electors in the town in and for which they are to be  
 28 appointed such justices of the peace.

§ 2. Whereas, by reason of several towns being annexed to the city of  
 2 Chicago, and no provision being made for the appointment of justices in  
 3 the towns so annexed, an emergency exists, therefore this act shall take  
 4 effect and be in force from and after its passage.

**AMENDMENT TO SENATE BILL No. 16 (IN THE HOUSE).**  

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Adopted by the House of Representatives April 28, 1891, and ordered printed and engrossed April 28, 1891.

1. Amend at line 4 of the second section numbered one in Senate printed bill by striking out the word "May" and inserting in place thereof the word "June."

2. Amend at line 7 of the same section by striking out the word and figure "seven (7)" and inserting in place thereof the word and figure "nine (9)"

3. Amend at line 13 of same section by striking out the word and figure "seven (7)" and inserting in place thereof the word and figure "five (5)"



1. Introduced by Mr. Humphreys January 8, 1891, and ordered to first reading.
2. First reading January 8, and referred to Committee on Judiciary.
3. Referred back February 17, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section one of an act entitled "An act to expedite the trial of certain suits at law in courts of record," approved June 1, A. D. 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act to expedite the trial of certain suits at law in courts of record," approved June 1, 1889, be and the same is hereby amended so as to read as follows:

Section 1. That it shall be the duty of the clerk of each court of record in this State to prepare a trial calendar, in addition to the regular trial calendar of each court, to be known as the short cause calendar. Upon the plaintiff or defendant, his agent or attorney, in any suit at law pending in any court of record, filing an affidavit that he verily believes the trial of said suit will not occupy more than one hour's time, and upon ten days previous notice to the opposite party, his agent or attorney, said suit shall be placed by the clerk upon said short cause calendar.

1. Introduced by Mr. Bassett, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891, and referred to Committee on Judiciary.
3. Reported back February 20, 1891, passage recommended and ordered to second reading.
4. Second reading March 3. Amended, and ordered to third reading.

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## A BILL

For an act to amend section eighty of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

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•  
**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section eighty of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

193. —(LAW TERMS.)

Section 80. Peoria, on the first Monday of January, the fourth Monday of March, the fourth Monday of May and the fourth Monday of August.

§ 2. Whereas, in consequence of the condition of the legal business of said county of Peoria, a term of said county court is required in the month of May, A. D. 1891, and an emergency exists, therefore this act shall take effect and be in force from and after its passage.





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1. Introduced by Mr. Hunt, January 8, 1891, and ordered to first reading.
  2. First reading January 8, 1891. Rules suspended, and ordered to a second reading and to be printed.

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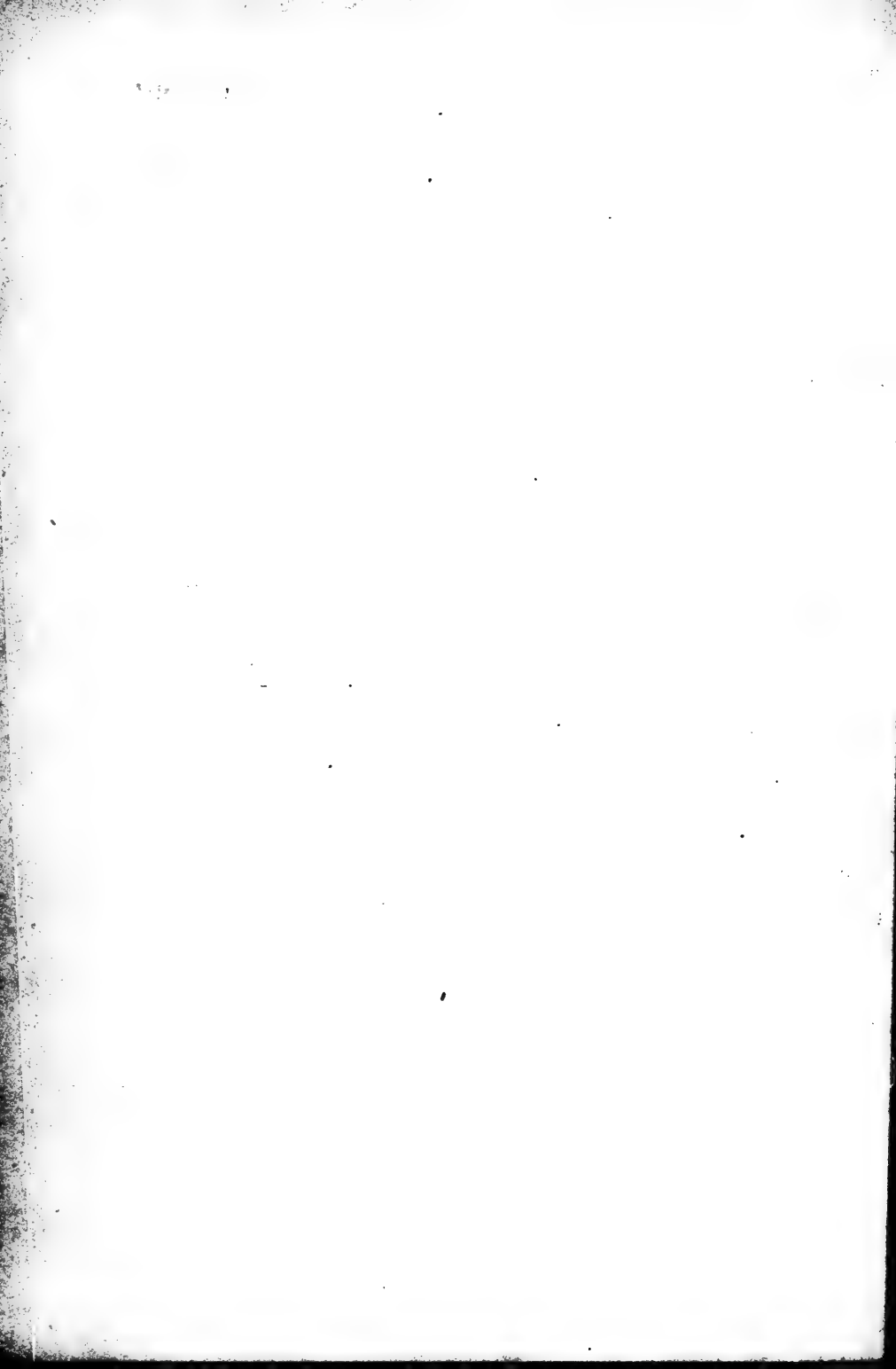
## A BILL

For an act making appropriation for the payment of the employees of the Thirty-seventh General Assembly.

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SECTION 1 *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated the sum of sixty-five thousand dollars (\$65,000), or so much thereof as may be necessary, to pay the employees of the Thirty-seventh General Assembly, at the rate of compensation allowed by law; said employees to be paid upon rolls certified to by the presiding officers of the respective houses, or as otherwise provided by law.

§ 2. Whereas, the above appropriation is necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.



1. Introduced by Mr. Hunt, January 8, 1891, and ordered to first reading.
2. First reading January 8, 1891. Rules suspended, and ordered to a second reading and to be printed.
3. Second reading January 13, 1891, amended, and ordered to a third reading.

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## A BILL

For an act making appropriation for the payment of the employees of the Thirty-seventh General Assembly.

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SECTION 1 *Be it enacted by the People of the State of Illinois represented in the General Assembly*, That there be and is hereby appropriated the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, to pay the employees of the Thirty-seventh General Assembly, at the rate of compensation allowed by law; said employees to be paid upon roll certified to by the presiding officers of the respective houses, or as otherwise provided by law.

§ 2. Whereas, the above appropriation is necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.



1. Introduced by Mr. Hagle, January 9, 1891, and ordered to first reading.
2. First reading January 9, and referred to Committee on Judiciary.
3. Referred back with amendment February 17, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend sections eighteen (18), twenty (20) and twenty-one (21) of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, as amended by an act approved May 31, 1879, in force July 1, 1879.

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### SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *in the General Assembly.* That sections eighteen (18), twenty (20) and twenty-  
3 one (21), of an act entitled "An act in regard to judgments and decrees,  
4 and the manner of enforcing the same by execution, and to provide for the  
5 redemption of real estate sold under execution or decree," approved March  
6 22, 1872, in force July 1, 1872, as amended by an act approved May 31, 1879,  
7 in force July 1, 1879, be so amended as to read as follows:

Section 18. Any defendant, his heirs, administrators, assigns or any  
2 person interested in the premises, through or under the defendant, may,  
3 within twelve months from said sale redeem the real estate so sold by pay-

ing to the purchaser thereof, his executors, administrators or assigns, or to the sheriff, master in chancery or other officer who sold the same, or his successor in office, for the benefit of such purchaser, his executors, administrators or assigns, the sum of money for which the premises were sold, or bid off, with interest thereon at the rate of six per cent. per annum, from the time of such sale, whereupon such sale and certificate shall be null and void.

Section 20. If such redemption is not made, any decree or judgment creditor, his executors, administrator, or assigns, may, after the expiration of twelve months, and within fifteen months after the sale, redeem the premises in the following manner: Such creditor, his executors, administrators, or assigns, may sue out an execution upon the judgment or decree, and place the same in the hands of the sheriff or other proper officer to execute the same, who shall endorse upon the back thereof a levy of the premises desired to be redeemed; and the person desiring to make such redemption shall pay to such officer the amount for which the premises to be redeemed were sold, with interest thereon at the rate of six per cent. per annum from the date of the sale, for the use of the purchaser of such premises, his executors, administrators, or assigns; whereupon such officer shall make and file in the office of the recorder of the county in which the premises are situated, a certificate of such redemption, and shall advertise and offer the premises for sale under said execution as in other cases of sale on execution.

Section 21. The creditor, his executors, administrators, or assigns, having so redeemed, shall be considered as having bid at such sale the amount of the redemption money so paid by him, with interest thereon at the rate of eight per cent. per annum from the date of such redemption to the day of sale, with the cost of such redemption and sale; and if no greater amount is bid at such sale the premises shall be struck off to the person making

7 such redemption, and the officer shall forthwith execute a deed of the  
8 premises to him, and no other redemption shall be allowed.

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**AMENDMENT PROPOSED BY THE COMMITTEE ON JUDICIARY.**

Amended by inserting "seven" wherever "six" appears in the bill.





1. Introduced by Mr. Hagle, January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Judiciary.
3. Referred back with amendments February 17, 1891, passage recommended, and ordered to second reading.
4. Second reading February 26, 1891, amended, and ordered to third reading.

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## A BILL

For an act to amend sections eighteen (18), twenty (20) and twenty-one (21) of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, as amended by an act approved May 31, 1879, in force July 1, 1879.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections eighteen (18), twenty (20) and twenty-one (21), of an act entitled "An act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree," approved March 22, 1872, in force July 1, 1872, as amended by an act approved May 31, 1879, in force July 1, 1879, be so amended as to read as follows:

Section 18. Any defendant, his heirs, administrators, assigns or any person interested in the premises, through or under the defendant, may, within twelve months from said sale redeem the real estate so sold by paying to the purchaser thereof, his executors, administrators or assigns, or to the

5 sheriff, master in chancery or other officer who sold the same, or his successor  
 6 in office, for the benefit of such purchaser, his executors, administrators or  
 7 assigns, the sum of money for which the premises were sold, or bid off,  
 8 with interest thereon at the rate of seven per cent. per annum from  
 9 the time of such sale, whereupon such sale and certificate shall be null and  
 10 void.

Section 20. If such redemption is not made, any decree or judgment  
 2 creditor, his executors, administrators, or assigns, may, after the expiration  
 3 of twelve months, and within fifteen months after the sale, redeem the prem-  
 4 ises in the following manner: Such creditor, his executors, administrators,  
 5 or assigns, may sue out an execution upon the judgment or decree, and  
 6 place the same in the hands of the sheriff or other proper officer to execute  
 7 the same, who shall endorse upon the back thereof a levy of the premises  
 8 desired to be redeemed; and the person desiring to make such redemption  
 9 shall pay to such officer the amount for which the premises to be redeemed  
 10 were sold, with interest thereon at the rate of seven per cent. per annum  
 11 from the date of the sale, for the use of the purchaser of such premises, his  
 12 executors, administrators, or assigns; whereupon such officer shall make and  
 13 file in the office of the recorder of the county in which the premises are  
 14 situated, a certificate of such redemption, and shall advertise and offer the  
 15 premises for sale under said execution as in other cases of sale on exe-  
 16 cution.

Section 21. The creditor, his executors, administrators, or assigns, having  
 2 so redeemed, shall be considered as having bid at such sale the amount of  
 3 the redemption money so paid by him, with interest thereon at the rate of  
 4 seven per cent. per annum from the date of such redemption to the day of  
 5 sale, with the cost of such redemption and sale; and if no greater amount  
 6 is bid at such sale the premises shall be struck off to the person making  
 7 such redemption, and the officer shall forthwith execute a deed of the  
 8 premises to him, and no other redemption shall be allowed.

1. Introduced by Mr. Wells, January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back February 20, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing," approved March 18, 1874, in force July 1, 1874, as amended by an act approved May 30, 1881, in force July 1, 1881.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section seventeen of an act entitled "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing," approved March 18, 1874, in force July 1, 1874, and as amended by act approved May 30, 1881, in force July 1, 1881, be and the same is hereby amended to read as follows:

Section 17. The following days, to-wit: The first day of January, commonly called New Year's day; the twenty-second day of February; the thirtieth day of May; the fourth day of July; the twenty-fifth day of December, commonly called Christmas day; the first Monday in September, to be known as Labor Day, and any day appointed or recommended by the Governor of this State, or by the President of the United States, as a day of fast or thanksgiving, are hereby declared to be legal holidays, and shall, for all purposes whatsoever, as regards the presenting for payment or acceptance, the maturity and protesting, and giving notice of the dishonor

10 of bills of exchange, bank checks and promissory notes, or other negotiable  
11 or commercial paper or instruments, be treated and considered as is the  
12 ~~first day~~ of the week, commonly called Sunday. When any such holidays  
13 fall upon Sunday, the Monday next following shall be held and considered  
14 such holiday. All notes, bills, drafts, checks or other evidence of indebted-  
15 ness, falling due or maturing on either of said days, ~~shall be~~ deemed as  
16 due or maturing on the day previous, and when two (2) or more of these  
17 days come together, or immediately succeeding each other, then such instru-  
18 ments, paper or indebtedness shall be deemed as due or having matured on  
19 the day previous to the first of such days.

- 1 Introduced by Mr. Wells, January 9, 1891, and ordered to first reading.
- 2 First reading January 9, 1891, and referred to Committee on Labor and Manufactures.
- 3 Reported back February 20, 1891, passage recommended and ordered to second reading.
- 4 Second reading March 3, 1891, amended, and ordered to third reading.

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## A BILL

For an act to amend section 17 of an act entitled "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing," approved March 18, 1874, in force July 1, 1874, as amended by act approved May 30, 1881, in force July 1, 1881.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section 17 of an act entitled "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing," approved March 18, 1874, in force July 1, 1874, and as amended by act approved May 30, 1881, in force July 1, 1881, be and the same is hereby amended to read as follows:

Section 17. The following days, to-wit: The first day of January, commonly called New Year's day; the twenty-second day of February; the thirtieth day of May; the fourth day of July; the twenty-fifth day of December, commonly called Christmas day; the first Monday in September, to be known as Labor Day; the twelfth day of February, and any day appointed or recommended by the Governor of this State, or by the President of the United States, as a day of fast or thanksgiving, are hereby declared to be legal holidays, and shall for all purposes whatsoever, as regards the presenting for payment or acceptance, the maturity and protesting, and

giving notice of the dishonor of bills of exchange, bank checks and promissory notes, or other negotiable or commercial paper or instruments, be treated and considered as is the first day of the week, commonly called Sunday. When any such holidays fall upon Sunday, the Monday next following shall be held and considered such holiday. All notes, bills, drafts, checks or other evidence of indebtedness, falling due or maturing on either of said days, shall be deemed as due or maturing on the day previous, and when two (2) or more of these days come together, or immediately succeeding each other, then such instruments, paper or indebtedness shall be deemed as due or having matured on the day previous to the first of such days.

1. Introduced by Mr. Newell, January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, and ordered to be printed for Committee.

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## A BILL

For an act concerning the education of children.

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### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That every person having under his care any  
3 child between the ages of seven years and fourteen years shall cause such  
4 child to attend for at least sixteen weeks in each and every year in a public  
5 or private day school: *Provided, however,* that this act shall not apply to any  
6 child that has otherwise been instructed for a like period of time in the  
7 branches commonly taught in the public schools, or that such child has  
8 already acquired the branches of learning commonly taught in the public schools  
9 or whose mental or physical condition, as declared by some reputable physician,  
10 is such as to render his or her attendance at school inexpedient, impracticable or  
11 unnecessary. Every person who shall violate the provisions of this section of  
12 this act shall, upon conviction thereof, be fined in any sum not less than  
13 three dollars nor more than twenty dollars for each and every offense.

§ 2. It shall be the duty of the boards of education of every city and dis-  
2 trict having such boards to appoint, and the boards of directors in every other  
3 district may appoint, one or more persons who shall be designated truant  
4 officers, whose duty it shall be to carefully and discreetly make inquiries  
5 into and concerning all supposed violations of this act, and to enter com-

6   plaint in writing before some court of competent jurisdiction against all  
 7   persons who shall appear upon such inquiry to be guilty. It shall also be  
 8   the duty of such officers, acting discreetly, to apprehend, upon view, all chil-  
 9   dren of school-going age under this act who habitually frequent and loiter  
 10   about public places and have no lawful occupation, and place such children,  
 11   when so apprehended, in charge of the teacher of the public school which  
 12   such children are by law entitled to attend, or in such private school as the  
 13   parent or other person having the control of such child may designate; and  
 14   it shall be the duty of such teacher to assign all such children to classes  
 15   and to instruct them in such studies as they are found upon examination to  
 16   be fitted to pursue; it shall also be the duty of such officers to apprehend  
 17   all truant children who habitually absent themselves from school without  
 18   permission and to return them to the public school which they are by law  
 19   entitled to attend, or to such private school as the person having control of  
 20   such children may designate; and it shall be the duty of such officers to re-  
 21   port all such apprehensions in writing to the clerk of the board of educa-  
 22   tion or board of school directors, as the case may be, without unreasonable  
 23   delay.

24   The persons appointed as such truant officers shall be entitled to such  
 25   compensation for services under this act as shall be determined by the boards  
 26   appointing them, and which compensation shall be paid out of the district  
 27   school fund. In every school district where no truant officer has been ap-  
 28   pointed, it is hereby made the duty of the board of directors of such dis-  
 29   trict to prosecute all offenses occurring under this act, and for the neglect  
 30   so to prosecute within ten days after written notice has been served on each  
 31   member of such board, shall subject each of them, or such of them as have  
 32   been served with notice, to a fine of not less than three dollars nor more  
 33   than five dollars, to be sued for by any tax-paying citizen residing within  
 34   the school district where the violation of this act occurred.

§ 3. Every child who shall have attended school for the period required



2 by this act in each year shall be entitled to have, upon request, a certificate  
 3 stating the fact, under the hand of the teacher whose school he or she shall  
 4 have attended, and which certificate shall be *prima facie* evidence of the facts  
 5 therein stated.

4. Every person having control of a child under this act, who, with in-  
 2 tent to evade its provisions, shall make a willful, false statement concern-  
 3 ing the age of or the time such child has attended school or concerning such  
 4 instruction at home, shall for such offense be fined in any sum not less than  
 5 three dollars nor more than one hundred dollars.

5. The fines provided for by this act shall, when collected, be paid over  
 2 by the officers collecting the same to the proper school treasurer of the city  
 3 or town, upon which the person convicted resides, to be applied and ac-  
 4 counted for by such treasurers the same as are other moneys raised for  
 5 school purposes, and shall be placed by him to the credit of the city or dis-  
 6 trict in which the person resided at the time of conviction.

§ 6. All prosecutions under this act shall be commenced and carried on  
 2 by the authorities of such board in the name of the People of the State of  
 3 Illinois.

7. An act entitled "An act concerning the education of children," ap-  
 2 proved May 24, 1889, in force July 1, 1889, be and the same is hereby repealed.



1. Introduced by Mr. Newell, January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Mines and Mining.
3. Reported back March 2, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to amend section 2 of an act entitled "An act to provide for the weighing of coal at the mines, and to repeal a certain act therein named," approved June 17, 1887, and in force July 1, 1887.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section two (2) of an act entitled "An act to provide for the weighing of coal at the mines," approved June 17, 1887, and in force July 1, 1887, be and the same is amended so as to read as follows: "All coal so delivered from such mines shall be carefully weighed upon the scales as above provided, and all screenings to be included in such weights and computed as part thereof, and a correct record shall be kept of the weight of each miner's car, which record shall be kept open at all reasonable hours for the inspection of all miners or others pecuniarily interested in the product of such mine. The person designated and authorized to weigh the coal and keep such record shall, before entering upon his duties, make and subscribe to an oath before some magistrate or other officer authorized to administer oaths, that he will accurately weigh and carefully keep a true record of all coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing."



1. Introduced by Mr. Newell January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 2 of an act entitled "An act to provide for the weighing of coal at the mines, and to repeal a certain act therein named," approved June 17, 1887, and in force July 1, 1887.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly* That section two (2) of an act entitled "An act to provide for the weighing of coal at the mines," approved June 17, 1887, and in force July 1, 1887, be and the same is amended so as to read as follows: "All coal so delivered from such mines shall be carefully weighed upon the scales as above provided, and all screenings to be included in such weights and computed as part thereof, and a correct record shall be kept of the weight of each miner's car, which record shall be kept open at all reasonable hours for the inspection of all miners or others pecuniarily interested in the product of such mine. The person designated and authorized to weigh the coal and keep such record shall, before entering upon his duties, make and subscribe to an oath before some magistrate or other officer authorized to administer oaths, that he will accurately weigh and carefully keep a true record of all coal delivered from such mine, and such oath shall be kept conspicuously posted at the place of weighing."



1. Introduced by Mr. Newell January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended and ordered to second reading.
4. Second reading April 16, 1891, amended, and ordered to a third reading.

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## A BILL

For an act to amend section 2 of an act entitled "An act to provide for the weighing of coal at the mines, and to repeal a certain act therein named," approved June 17, 1887, and in force July 1, 1887.

**SECTION 1.** *Be it enacted by the People of the State of Illinois represented*

*in the General Assembly,* That section two (2) of an act entitled "An act to provide for the weighing of coal at the mines," approved June 17, 1887, and in force July 1, 1887, be and the same is amended so as to read as follows:

Section 2. All coal so delivered from such mines shall be carefully weighed upon the scales as above provided, and all screenings to be included in such weights and computed as part thereof, and a correct record shall be kept of the weight of each miner's car, which record shall be kept open at all reasonable hours for the inspection of all miners or others pecuniarily interested in the product of such mine. The person designated and authorized to weigh the coal and keep such record shall, before enter-

8 ing upon his duties, make and subscribe to an oath before some magistrate  
9 or other officer authorized to administer oaths, that he will accurately  
10 weigh and carefully keep a true record of all coal delivered from such  
11 mine, and such oath shall be kept conspicuously posted at the place of  
12 weighing.



1. Introduced by Mr. Berry January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back with amendments April 9, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act in regard to the placing upon every public school building the American flag.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois represented*

2 *in the General Assembly,* That every board of school directors and board of  
3 education shall, out of the public school fund of their respective districts,  
4 on or before September first, 1891, purchase an American Flag not less than  
5 thirty-six inches wide and fifty-two inches in length, and shall cause the  
6 same to be placed upon a suitable flag staff upon every public school  
7 building in this State on every school day of suitable weather in each  
8 year.

§ 2. Any school board or board of education failing or refusing to com-  
2 ply with the requirements of this act shall, upon complaint of any person,  
3 be fined in any sum not exceeding two hundred dollars.

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AMENDMENTS PROPOSED BY THE COMMITTEE ON EDUCATION, VIZ.:

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Amend by substituting "may" for "shall" in lines 3 and 5 of section 1,  
and by erasing section 2.

Also, by erasing the words "on or before September first, 1891."



1. Introduced by Mr. O'Connor, January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back February 20, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the weekly payment of wages by corporations.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That every manufacturing, mining, quarrying, lum-  
3 bering, mercantile, railroad, surface, street, electric and elevated railway,  
4 steam railway (except steam surface railroads), steamboat, telegraph, tele-  
5 phone, and municipal corporation, and every incorporated express company  
6 and water company, shall pay weekly each and every employe engaged in  
7 its business, the wages earned by such employe to within six days of the  
8 date of such payment: *Provided, however,* that if at any time of payment  
9 any employe shall be absent from his regular place of labor he shall be  
10 entitled to said payment at any time thereafter upon demand.

2. Any corporation violating any of the provisions of this act shall be  
2 liable to a penalty not exceeding fifty dollars, and not less than ten dollars  
3 for each violation, to be paid to the people of the State, and which may be  
4 recovered in a civil action: *Provided* an action for such violation is com-  
5 menced within thirty days of the date thereof; any person may bring an  
6 action in the name of the People of the State, as plaintiff, against any cor-  
7 poration which neglects to comply with the provisions of this act for a  
8 period of two weeks, after having been notified in writing by such person

9 that such action will be brought. On the trial of such action, such corpo-  
10 ration shall not be allowed to set up any defense for a failure to pay  
11 weekly any employe engaged in its business the wages earned by such em-  
12 ploye to within six days of the date of such payment, other than a valid  
13 assignment of such wages, or a valid setoff against the same, or the ab-  
14 sence of such employe from his regular place of labor at the time of pay-  
15 ment, or an actual tender to such employe at the time of payment of the  
16 wages so earned by him, or a breach of contract by such employe or a de-  
17 nial of the employment. No assignment of future wages payable weekly  
18 under the provisions of this act shall be valid if made to the corporation  
19 from whom such wages are to become due, or to any person on behalf of  
20 such corporation, or if made or procured to be made to any person for the  
21 purpose of relieving such corporation from the obligations to pay weekly  
22 under the provisions of this act. Nor shall any of said corporations require  
23 any agreement from any employe to accept wages at other periods than as  
24 provided in section 1 of this act, as a condition of employment.

§ 3. The penalties herein provided may be recovered in any court having  
2 civil jurisdiction by such in the name of the person bringing the same.

1. Introduced by Mr. O'Connor January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back February 20, 1891, passage recommended, and ordered to second reading.
4. Second reading March 4 and 6, 1891, amended, and ordered to third reading.

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## A BILL

For an act to provide for the weekly payment of wages by corporations.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That every manufacturing, mining, quarrying, lumbering, mercantile, street, electric and elevated railway, steamboat, telegraph, telephone, and municipal corporation, and every incorporated express company and water company, shall pay weekly each and every employe engaged in its business, the wages earned by such employe to within six days of the date of such payment: *Provided, however,* that if at any time of payment any employe shall be absent from his regular place of labor he shall be entitled to said payment at any time thereafter upon demand.

§ 2. Any corporation violating any of the provisions of this act shall be liable to a penalty not exceeding fifty dollars, and not less than ten dollars for each violation, to be paid to the People of the State, and which may be recovered in a civil action: *Provided,* an action for such violation is commenced within thirty days from the date thereof; any person may bring an action in the name of the People of the State, as plaintiff, against any corporation which neglects to comply with the provisions of this act for a period of two weeks, after having been notified in writing by such person

9 that such action will be brought. On the trial of such action, such corpor-  
10 ation shall not be allowed to set up any defense for a failure to pay  
11 weekly any employe engaged in its business the wages earned by such em-  
12 ploye to within six days of the date of such payment, other than a valid  
13 assignment of such wages, or a valid set off against the same, or the ab-  
14 sence of such employe from his regular place of labor at the time of pay-  
15 ment, or an actual tender to such employe at the time of payment of the  
16 wages so earned by him, or a breach of contract by such employe or a de-  
17 nial of the employment. No assignment of future wages payable weekly  
18 under the provisions of this act shall be valid if made to the corporation  
19 from whom such wages are to become due, or to any person on behalf of  
20 such corporation, or if made or procured to be made to any person for the  
21 purpose of relieving such corporation from the obligations to pay weekly  
22 under the provisions of this act. Nor shall any of said corporations require  
23 any agreement from any employe to accept wages at other periods than as  
24 provided in section 1 of this act, as a condition of employment.

§ 3. The penalties herein provided may be recovered in any court having  
2 civil jurisdiction by such in the name of the person bringing the same.

1. Introduced by Mr. O'Connor, January 9, 1891, and ordered to first reading.
2. First reading January 9, and referred to Committee on Mines and Mining.
3. Reported back April 1, passage recommended, and ordered to second reading.

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## A BILL

For an act entitled "An act to compel the payment of all wages in money."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall be unlawful to pay any laborer or  
3 employe his wages in anything except lawful money of the United States.

§ 2. All persons or corporations violating this act shall be punished by  
2 a fine of not less than fifty dollars, and not more than two hundred dollars,  
3 by prosecution in any justice court or circuit or county court on complaint  
4 therein made by any person.





1. Introduced by Mr. O'Connor January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Mines and Mining.
3. Referred back with amendments April 1, 1891, passage recommended and ordered to second reading.
4. Second reading April 15, 1891, amended and ordered to third reading.

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## A BILL

For an act entitled "An act to compel the payment of all wages in money."

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall be unlawful to pay any laborer or  
3 employe his wages in anything except lawful money of the United States.

4 § 2. All persons or corporations violating this act shall be punished by  
2 a fine of not less than fifty dollars, and not more than two hundred dollars,  
3 by prosecution in any justice court or circuit or county court on complaint  
4 therein made by any person: *Provided,* this act shall not apply to persons  
5 employed as laborers on farms



1. Introduced by Mr. Allen, January 9, 1891, and ordered to first reading.
2. First reading January 9, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to provide for compiling, illustrating, electrotyping, printing, binding, copyrighting and distributing a State series of school text books and appropriating money therefor

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the Superintendent of Public Instruction, the regent of the University of Illinois, the president of the Normal University at Normal, the president of the Southern Normal University at Carbondale, and the Secretary of State shall be, and are hereby declared to be a State text book board, of which the Superintendent of Public Instruction shall be chairman. They shall meet on the second Monday of July, 1891, and thereafter they shall hold stated meetings at such time and place as they may determine. At any time the chairman or any two members may call a special meeting of the board. Three members shall constitute a quorum and may do and perform all the duties required to be done and performed by them by this act of the General Assembly. They shall transact all business at stated or special meetings, and shall cause to be kept a record of its proceedings.

2. The State text-book board shall within the period of one year from the time of its first meeting compile or cause to be compiled, for use in the

public schools of the State a series of school text-books of the following description: Reading, four books; speller, one book; arithmetic, two books; grammar, two books; geography, two books; history of the United States, one book; physiology and hygiene, including a system of gymnastic exercises and special instructions as to the nature of alcoholic drinks and narcotics and their effect upon the human system, one book; together with designs for all cuts and engravings to be used in the said series of text-books and shall secure copyrights to all the books that shall be compiled under the provisions of this act, and shall protect said copyrights from all infringements.

§ 3. The State text-book board may employ well qualified persons to compile the books mentioned in section two of this act and shall fix the remuneration for the services rendered: *Provided*, that if any competent author shall compile any one or more works, of the first order of excellence, and shall offer the same as a free gift to the people of the State, together with the copyright of the same, and the exclusive right to manufacture and sell such books within the State of Illinois, it shall be the duty of the State text-book board to accept such gift and to expend no money for the purpose of compiling works relating to the subjects treated of in the books thus donated.

§ 4. The foregoing books shall be equal in size and quality as to matter, illustrations and material to the following text books, to-wit: The speller to eclectic speller; the first, second, third and fourth readers to McGuffey's first, second, third and fourth readers; the first and second grammars to Harvey's first and second grammars; the two books of arithmetic to Ray's new elementary and Ray's new practical arithmetic; the two books of geography to the new eclectic elementary and new eclectic complete geography; the one book of history to eclectic United States history and the one book of physiology and hygiene to eclectic physiology and hygiene.

§ 5. The text of the books furnished under this act to the public schools

of this State shall be subject to revision not oftener than once in each period of six years from adoption, and only then in case the State text-book board so direct.

6. Whenever the State series of school text-books shall have been compiled and agreed upon by the State text-book board, the Superintendent of Public Instruction shall issue an order requiring the uniform use of said books in the common schools of the State; but said order for the uniform use of said books shall not take effect till the expiration of at least one year from the time of completion of the electrotype plates of said books; but nothing in this act shall be construed to prevent any school district from adopting any one or more of the State series before the expiration of that time whenever one or more books shall have been published.

7. Whenever the State series of school text-books shall have been compiled, corrected and approved by the State text-book board, as to all matters relating to type, size, illustrations, quality of binding and other material and the number of books necessary to supply the common schools of the State for at least two years, then they shall submit the same to the commissioners of State contracts, who shall proceed under the act then in force relating to State contracts to contract for and have manufactured said series of school text-books or any edition thereof: *Provided*, that the cost to the State for paper, printing, engraving, illustrating and completing said books shall not exceed for the

- 1. Speller, 9 $\frac{1}{2}$  cents.
- 2. First reader, 9 cents.
- 3. Second reader, 10 cents.
- 4. Third reader, 13 cents.
- 5. Fourth reader, 15 cents.
- 6. First grammar, 15 cents.
- 7. Second grammar, 21 cents.
- 8. Physiology, 26 $\frac{1}{2}$  cents.

19 First arithmetic, 12 cents.

20 Second arithmetic, 15 cents.

21 First geography, 19 cents.

22 Second geography, 42 cents.

23 Book of history, 33 cents.

24 And for other books than these in this section named, a proportional  
 25 price and no more shall be paid by the State; *And provided further*, that  
 26 the State shall furnish the paper, and the books when completed according  
 27 to contract shall be received by the Secretary of State; *And it is further*  
 28 *provided*, the retail price fixed by the State text-book board shall be so fixed not  
 29 to exceed the maximum retail price, provided in section 8 of this act that  
 30 the difference in the cost of manufacturing said text-books and the retail  
 31 price of the same shall afford an average discount to dealers of 15 per cent.

§ 8. The State series of text-books provided in this act shall be retailed  
 2 to the pupils and patrons of the public schools at not to exceed the follow-  
 3 ing prices:

4 Speller, 10 cents.

5 First reader, 10 cents.

6 Second reader, 15 cents.

7 Third reader, 20 cents.

8 Fourth reader, 25 cents.

9 First grammar, 25 cents.

10 Second grammar, 35 cents.

11 First arithmetic, 20 cents.

12 Second arithmetic, 25 cents.

13 First geography, 30 cents.

14 Second geography, 60 cents.

15 Book of history, 50 cents.

16 Physiology and hygiene, 40 cents.

§ 9. The Superintendent of Public Instruction shall have, by the time

2 the State's series of text books shall have been compiled caused the county  
 3 superintendent of schools in each county to make an estimate of the num-  
 4 ber of each State text-book necessary to supply the public schools of his  
 5 county for two years, and from the estimates submitted to him by the  
 6 county superintendent of schools the Superintendent of Public Instruction  
 7 shall estimate the number of each State text-books necessary to be printed  
 8 under the first contract for printing for use in the public schools of the  
 9 State for two years, and on or before the first day of June of each year  
 10 thereafter shall submit to the State text book board, as the basis of future  
 11 contracts for manufacturing subsequent editions of said State text-books,  
 12 an estimate of the number of books necessary to supply the public schools  
 13 in the State for the ensuing school year.

10. The school books published under the provisions of this act  
 2 shall be furnished to the children of the public schools at the cost of  
 3 printing, publishing and distributing the same; said cost to be ascertained  
 4 and fixed by the State text book board as soon as possible after the contract for  
 5 publishing books has been awarded, but shall not exceed the maximum price  
 6 fixed in section 8 of this act.

11. The process for the distribution of the text-books shall be as fol-  
 2 lows: The Superintendent of Public Instruction shall cause the county  
 3 superintendent of schools in each county to furnish a list of retail dealers  
 4 in the county who may desire to retail to the pupils and patrons of the  
 5 public schools the State series of text-books: *Provided, however,* that in all  
 6 cases such retail dealer shall make and subscribe to the following agreement:  
 7 In consideration of receiving for sale the series of text-books or any part  
 8 thereof published by the State of Illinois, I hereby agree that I will not  
 9 sell the same to any person or persons for the purpose of being sold again,  
 10 or to any person or persons beyond the limits of the State of Illinois; and  
 11 that I will not sell said series of State text books or any part or portion  
 12 thereof at a price exceeding the price to the pupils or patrons fixed by the

13 State text-book board, and will keep a list of such prices conspicuously  
 14 posted in my place of business. Said agreement shall be endorsed by  
 15 the county superintendent of schools in the following words: I hereby  
 16 certify that A. B. is a regular retail dealer in school books in \_\_\_\_\_ county,  
 17 Illinois.

18 C. D.,

19 County superintendent of schools.

20 When such agreement has been filed with the Superintendent of Public  
 21 Instruction, the retail dealer making such agreement may make such  
 22 orders for State text-books as may be necessary for his trade on the Superin-  
 23 tendent of Public Instruction, which order shall be accompanied by cash  
 24 in payment for the same at the price fixed by the State text-book board as  
 25 the cost price at Springfield, less discount, and in no case shall private  
 26 checks be received as cash: *Provided, further,* that if the books are to be  
 27 sent by mail the cost of postage shall also accompany the order, and if  
 28 ordered shipped by freight or express, parties ordering books shall pay  
 29 cost of carriage at point of destination: *And it is provided, further,* that  
 30 any dealer who shall fail to comply with the terms of his agreement, or  
 31 shall fail to comply with any reasonable request for information by the  
 32 county superintendent of schools or Superintendent of Public Instruction,  
 33 relating to State text-books, shall forfeit his right to any further purchase  
 34 of said books from the State.

§ 12. The Superintendent of Public Instruction shall on receiving an  
 2 order from any authorized dealer, make requisition for the same on the  
 3 Secretary of State, who shall ship the books to such dealer as shall have  
 4 been designated in such requisition. The Superintendent of Public In-  
 5 struction shall report to the Auditor of Public accounts on or before the  
 6 fifth day of every month, the number of books sold by him during the  
 7 preceding month, and pay the moneys received for the same into  
 8 the State treasury. It shall be the duty of the Secretary of State on or



9 before the fifth day of every month to report to the Auditor of Public Ac-  
 10 counts the number and value of all books shipped by him on the requisit-  
 11 ions of the Superintendent of Public Instruction and the number and value  
 12 of books received.

13 Section 10. A separate account shall be kept of the State series of textbooks  
 14 showing apart from the State treasurer as a separate and distinct fund to be  
 15 known as the "State textbook fund," which said fund shall be subject to  
 16 draft by the Secretary of State for all moneys needed for manufacturing  
 17 any edition of any book of the State series over and above those manufac-  
 18 tured under the original contract.

19 Section 11. Within one year after the State text books are printed and furnished  
 20 to the Secretary of State and for the period of fifteen years thereafter, no  
 21 textbook shall be used in the public schools of this State other than  
 22 the State textbooks authorized under the provisions of this act. *Provided,*  
 23 that this act shall not be construed to prevent pupils who have advanced  
 24 beyond the studies contained in said books from using other books, or to  
 25 prevent a revision of the text of said books at the expiration of six years  
 26 after their introduction.

27 Section 12. The State textbook board shall promulgate by circulation such  
 28 rules and regulations as they may deem necessary for intelligently carrying  
 29 out the provisions of this act in relation to the distribution of school books,  
 30 together with such information as would be beneficial to the people of the  
 31 State, school officers and retail book dealers.

32 Section 13. The sum of twenty thousand dollars, or as much thereof as may be  
 33 necessary, is hereby appropriated, for the purpose of compiling, or causing  
 34 to be compiled, the series of text books for the public schools, as set forth in  
 35 section two of this act. The appropriation provided for in this section shall  
 36 be subject to the order of the State textbook board, and upon such appro-  
 37 vation. Auditor of Public Accounts is hereby authorized to draw his warrant  
 38 upon the State Treasurer for the payment of said demands, and the State  
 39 Treasurer is authorized to pay the same.

§ 17. The sum of two hundred thousand dollars, or as much thereof as  
 2 is necessary, is hereby appropriated out of any money not otherwise  
 3 appropriated, to pay the cost of paper and manufacturing the text-books  
 4 provided for in section two of this act. The appropriation provided for  
 5 in this section shall be subject to the order of the Secretary of State;  
 6 *Provided*, that all text-books, for the manufacture of which demands are  
 7 made upon the appropriation provided for in this section, shall have been  
 8 approved by the State text-book board as to size, style of printing, engrav-  
 9 ings, illustrations and binding; and upon order of the Secretary of State  
 10 with the certificate of such approval, the Auditor of Public Accounts is  
 11 hereby authorized to draw his warrant upon the State Treasurer for the  
 12 payment of said demands, and the State Treasurer is authorized to pay the  
 13 same.

§ 18. The Superintendent of Public Instruction is hereby authorized to  
 2 employ any assistance necessary to the carrying out of the provisions of  
 3 this act, and the Auditor of Public Accounts is hereby directed and authorized  
 4 to draw his warrant for a sum not to exceed two thousand dollars annually,  
 5 on the general fund of the State for the payment of such assistance; *And*  
 6 *provide further*, that the State text-book board shall be reimbursed for  
 7 their legitimate expenses in attending meetings of the board, and the  
 8 Auditor of Public Accounts is authorized to draw his warrant for the  
 9 same, upon the approval of the Governor, on the general fund of the  
 10 State.

- 1 Introduced by Mr. C. Jewell January 9, 1891, and ordered to first  
2 reading.  
3 First reading January 11, 1891, and referred to Committee on Finance.  
4 Reported back February 1, 1891, as amended, recommended, and ordered  
5 to second reading.

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## A BILL

For an act to transfer the balance now standing to the credit of the "delinquent  
land tax fund" to the credit of the "general revenue fund."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, in and by*  
2 *the General Assembly*, That the unexpended balance of \$331.06 now in the  
3 State treasury to the credit of the "delinquent land tax fund" be trans-  
4 ferred on the warrant of the Auditor of Public Accounts, to the "general  
5 revenue fund," and the Auditor of Public Accounts is hereby required to  
6 draw his warrant on the State Treasurer for the sum of \$331.06 to make  
7 said transfer.



- 1 Introduced by Mr. Newell January 15, 1891, and ordered to first read
- 2 First reading January 16, 1891, and referred to Committee on Judiciary.
- 3 Reported back with amendments March 6, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act in relation to the practice in the courts of record in the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, in the Gen*

2 *eral Assembly, represented* That whenever any suit or proceeding has been  
3 heretofore commenced, or shall hereafter be commenced, in any court of  
4 record in this State, and it shall appear to the court where the same is  
5 pending, that the same has been commenced in the wrong court or county,  
6 then upon motion or other request of the parties to such suit or proceed-  
7 ing, the court shall change the venue of such suit or proceeding to the  
8 proper court or county, and the same when the venue shall be so changed,  
9 shall be then pending and triable in such court or county to which the  
10 same shall be so changed the same as in other cases of change of venue;  
11 *Provided*, that where either party to such suit or proceeding shall procure  
12 the change of venue as herein provided for, that the court shall require  
13 such party procuring the same, to pay all costs in such suit or proceeding,  
14 up to and including the costs of the change of venue except such costs, if  
15 any there are, as shall have been made or occasioned by a plea or pleas to  
16 the merits and a trial thereon, if any such shall have been had or made,  
17 and such costs, if any, caused by a plea or pleas to the merits and trial  
18 thereon, shall abide the final result of such suit or proceeding the same as  
19 in other cases of change of venue.

AMENDMENTS PROPOSED TO SENATE BILL 32 BY THE SENATE  
JUDICIARY COMMITTEE.

Amend by striking out the enacting clause and insert the following: "Be  
2 it enacted by the People of the State of Illinois, represented in the General  
3 Assembly."

4 Amend by striking out of line 13 of section 1 the following words, "Such  
5 party so procuring the same;" and insert the following: "The plaintiff in  
6 said suit."

**37th Assem.**

**HOUSE.**

**June 1891**

**AMENDMENT TO SENATE BILL No. 32 -IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 by striking from lines 2 and 3 the following words:  
"has been heretofore commenced or."





1. Introduced by Mr. Fagan in January 13, 1891, and ordered to first reading.
  2. First reading January 17, 1891, and referred to Committee on Judicial Department and Appropriation.
  3. Reported back March 17, 1891, (as amended recommended) and ordered to second reading.
- 

## A BILL

For an act requiring the nature of the consideration of promissory notes and other negotiable instruments given for patent rights and lightning rods to be expressed on the face thereof, and to provide a penalty for a violation of this act.

SECTION 1. A promissory note, or other negotiable instrument, the consideration for which consists in whole or in part, of the right to make, use or vend a patent invention, or an invention claimed to be patented, or for a lightning rod or rods, shall have written or printed prominently and legibly across the face thereof, and above the signature thereon, the words "Given for a patent right," or "Given for a lightning rod or rods," as the case may be; such instrument, in the hands of any purchaser or holder, shall be subject to the same defenses as it would be in the hands of the original owner or holder, and any person who purchases or becomes the holder of a promissory note, or other negotiable instrument, knowing it to have been given for the consideration aforesaid, shall hold the same subject to such defenses, although the words "Given for a patent right," or "Given for a lightning rod or rods," as the case may be, are not written or printed upon its face.

1       § 2. Whoever takes, purchases, sells or transfers any promissory note or  
2 other negotiable instrument, not having the words "Given for a patent  
3 right," or "Given for a lightning rod or rods," as the case may be, written  
4 or printed legibly and prominently on the face of said note or instrument,  
5 above the signature thereto, knowing the consideration of such note or  
6 other instrument to consist in whole or in part, of the right to make, use  
7 or vend any patented invention, or invention claimed to be patented or for  
8 a lightning rod or rods, as the case may be, shall be fined in any sum not  
9 more than one hundred dollars or imprisoned in the county jail not more  
10 than three months, or both.

1. Introduced by Mr. Ferguson, January 13, 1891, and ordered to first reading.
2. First reading January 13, and referred to [Committee on Judicial Department and Apportionment.
3. Reported back March 6, passage recommended, and ordered to second reading.
4. Second reading March 24, amended, and ordered to third reading.

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## A BILL

For an act requiring the nature of the consideration of promissory notes and other negotiable instruments given for patent rights and lightning rods, to be expressed on the face thereof, and to provide a penalty for a violation of this act.

---

### SECTION 1. *Be it enacted by the People of the State of Illinois represented*

2 *in the General Assembly.* That any promissory note, or other negotiable in-  
3 strument, the consideration for which consists, in whole or in part, of the  
4 right to make, use or vend a patent invention, or an invention claimed to  
5 be patented, or for a lightning rod or rods, shall have written or printed,  
6 prominently and legibly, across the face thereof, and above the signature  
7 thereto, the words "Given for a patent right," or "Given for a lightning  
8 rod or rods," as the case may be; such instrument, in the hands of any  
9 purchaser or holder, shall be subject to the same defenses as it would be in  
10 the hands of the original owner or holder; and any person who purchases  
11 or becomes the holder of a promissory note, or other negotiable instrument,  
12 knowing it to have been given for the consideration aforesaid, shall hold  
13 the same subject to such defenses, although the words, "Given for a patent  
14 right," or "Given for a lightning rod or rods," as the case may be, are not  
15 written or printed upon its face.

§ 2. Whoever takes, purchases, sells or transfers any promissory note or other negotiable instrument not having the words, "Given for a patent right," or "Given for a lighting rod or rods," as the case may be, written or printed legibly and prominently on the face of said note or instrument, above the signature thereto, knowing the consideration of such note or other instrument to consist, in whole or in part, of the right to make, use or vend any patented invention, or invention claimed to be patented, or for a lighting rod or rods, as the case may be, shall be fined in any sum not more than one hundred dollars or imprisoned in the county jail not more than three months, or both.

1. Introduced by Mr. Higbee, January 13, 1891, and ordered to first reading.
2. First reading January 13, 1891, and referred to Committee on Judiciary.
3. Reported back February 20, 1891, passage recommended and ordered to second reading.

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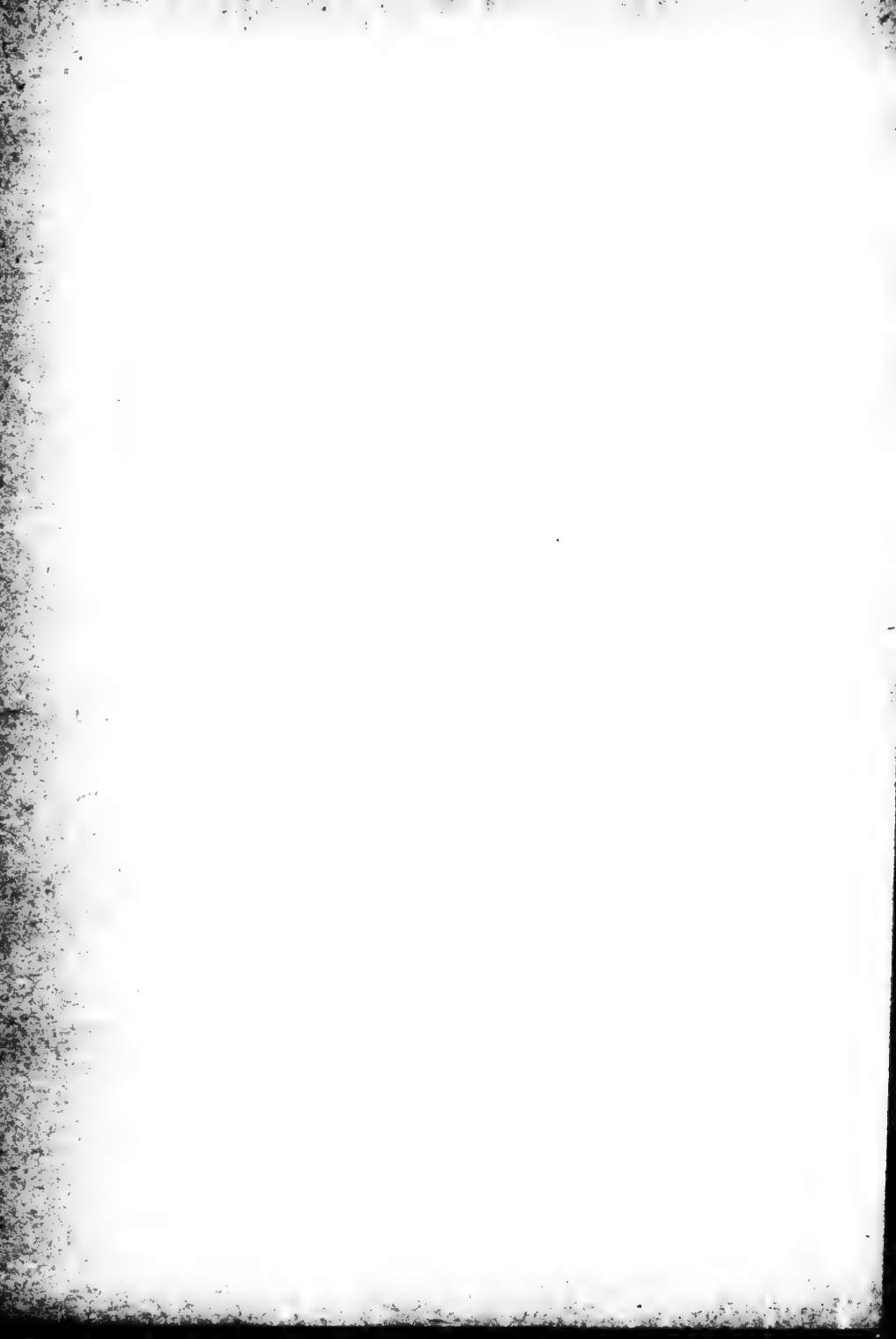
## A BILL

For an act providing for the remission of fees of the clerks of county courts, in certain cases, in counties of the first and second class.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases, in counties of the first and second class, where, by the death of any person, there shall be left surviving such person a widow or children resident of this State, who are entitled out of said estate to a widows' or child's award, and the entire estate real and personal of such deceased person shall not exceed one thousand dollars, and in case of any minor whose estate real and personal does not exceed the sum of five hundred dollars and whose father is dead, and in all cases of any idiot, insane person, lunatic or distracted person, drunkard or spendthrift, when such person has a wife or infant child dependent on such person for support and the entire estate of such person shall not exceed the sum of one thousand dollars, the county or probate judge shall, by an order to be entered of record, remit and release to such estate all of the county or probate clerk's costs now provided for by law.

§ 2. All acts or parts of acts in conflict with this act are hereby repealed.



1. Introduced by Mr. Chapman, January 13, 1891, and ordered to first reading.
2. First reading January 13, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments April 17, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act in relation to married women," approved May 17, 1877, and to amend the title thereof.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That an act entitled "An act in relation to married  
3 women" and the title thereof, be amended so as to read as follows: "An  
4 act in relation to married women and married men."

**SECTION 2.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That married women, who, without their fault  
3 now live or hereafter may live separate and apart from their husbands,  
4 may have their remedy in equity in their own names, respectively against  
5 their said husbands in the circuit court of the county where the husband  
6 resides for a reasonable support and maintenance, while they so live or  
7 have so lived separate and apart; and in determining the amount to be  
8 allowed, the court shall have reference to the condition of the parties in  
9 life at the place of residence of the husband, and the circumstances of the  
10 respective cases; and the court may grant allowance to enable the wife to  
11 prosecute her suit as in cases of divorce. And whenever a married woman  
12 is living separate and apart from her husband, the said husband may have  
13 his remedy by bill in equity against his said wife in the circuit court of

14 the county where he resides for determining what amount is sufficient for  
 15 a reasonable support of his said wife; and in determining the amount to  
 16 be allowed for such reasonable support to said wife while she lives so  
 17 separate and apart, the court shall have reference to the condition in life  
 18 of the parties at the place of residence of the husband; and when an allow-  
 19 ance has been made by the circuit court for any married woman living  
 20 separate and apart from her husband, the said husband shall not be liable  
 21 for any indebtedness incurred by his said wife.

§ 2. Proceedings under this act shall be instituted in the county where  
 2 the husband resides, and process may be served in any county in the State;  
 3 but the wife shall not be required to give bond for costs in any such  
 4 proceeding.

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**AMENDMENTS TO SENATE BILL No. 37, PROPOSED BY COMMITTEE  
 ON JUDICIARY.**

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1. Amend by striking out all of section one after the word "divorce"  
 in line 11.

2. Amend by adding to section two: "*Provided*, in case the husband  
 shall abandon the wife without fault on her part, and remove to another  
 county in this State, then and in that case such suit may be brought by the  
 wife either in the county where they resided at the time of such abandonment  
 as aforesaid or in the county where the husband resides at the time of the  
 commencement of such suit.



1. Introduced by Mr. Chapman, January 13, 1891, and ordered to first reading.
2. First reading January 13, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments April 17, 1891, passage recommended and ordered to second reading.
4. Second reading May 14, 1891, amended and ordered to third reading.

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## A BILL

For an act to amend an act entitled "An act in relation to married women," approved May 17, 1877.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act in relation to married  
3 women," be amended so as to read as follows:

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That married women, who, without their fault,  
3 now live or hereafter may live separate and apart from their husbands,  
4 may have their remedy in equity in their own names, respectively, against  
5 their said husbands in the circuit court of the county where the husband  
6 resides, for a reasonable support and maintenance, while they so live or  
7 have so lived separate and apart; and in determining the amount to be  
8 allowed the court shall have reference to the condition of the parties in  
9 life at the place of residence of the husband, and the circumstances of the  
10 respective cases; and the court may grant allowance to enable the wife to  
11 prosecute her suit as in cases of divorce.

§ 2. Proceeding under this act shall be instituted in the county  
2 where the husband resides, and process may be served in any county in the

3 State; but the wife shall not be required to give bond for cost in any such  
4 proceeding: *Provided*, in case the husband shall abandon the wife without  
5 fault on her part, and remove to another county in this State, then and in  
6 that case such suit may be brought by the wife either in the county where  
7 they resided at the time of such abandonment as aforesaid or in the county  
8 where the husband resides at the time of the commencement of such suit.

- 
1. Introduced by Mr. O'Connor, January 13, 1891, and ordered to first reading.
  2. First reading January 13, 1891, and referred to Committee on Labor and Manufactures.
  3. Reported back February 20 and ordered to be printed.

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## A BILL

For an act fixing eight (8) hours of labor as a legal day's work.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, as follows: Eight hours of labor shall constitute a day's work for all manual labor, in mining, mechanical trades and occupations, arts and other employments, except in agricultural employment, such as the care of cattle, tilling of the land, and all occupations directly connected with the field or farm; but such exceptions shall not apply to the manufacture of agricultural machinery or the care of cattle used for car service, mercantile or distributing purposes.

§ 2. In the event of accident to property or plant, which necessitates immediate attention and where delay would entail loss, the hours may be extended without incurring the penalties of this act.

§ 3. Where there exists a scarcity of laborers to perform the work required within the eight hours, the penalties of this act shall not be incurred, provided the employer or employers shall file with the county court of the county in which a scarcity of laborers exists, a statement showing the facts and praying for a day of hearing on which arguments may be

made in open court; on the filing of said statements and fixing of date of hearing, the court shall order to be published in two of the leading newspapers in said county, if as many are published in said county, and if not in two newspapers generally read in said county or district, in and for which change of hours as asked, notifying all whom it may concern, that on the day fixed the county court of said county, said application will be heard praying for the temporary suspension of the eight hour law in certain mines, factories or workshops, and notifying those who have objections to offer to present the same. If, after hearing the evidence, the opinion of the court is that a scarcity of laborers does exist, he shall, to meet the reasonable demands of said employer of labor, order the temporary suspension of the eight hour law in such mine, factory or workshop, as the case may require.

§ 4. The term of suspension of law shall not exceed six calendar months, and any further suspension of the law may be obtained as provided for in section 2.

§ 5. If during the term of suspension of the eight hour law it should become apparent that a number of men or women are out of employment, they may sign a petition to the county court stating that they are out of employment, that they have offered their services to an employer of labor, whose mine, factory or workshop is operating under a suspension of the eight hour law, and that they have been refused employment, that the names attached to such petition are equal in number to five per cent. of those employed at such trade or calling in said factory, workshop or mine, and that they are willing to work on the conditions in force in said workshop, factory or mine; that they are competent to fill the positions applied for, that they are of good character and residents of the county for sixty days previous to the signing of said petition, and do not know of their own knowledge of any good and sufficient reason why they should be unemployed.

ed; on the filing of which the court shall cite to appear before him the employer or employers, agent or agents of factory, workshop or mine, working under a suspension of the eight hour law, to show cause why the eight hour law should not go into immediate operation, as to him and his factory, etc. After hearing the evidence presented, the county court may, at his discretion, fix the date when said factory, workshop or mine shall recommence operating under the eight hour law; and from such decision there shall be no appeal.

§ 6. Any citizen, resident or voter of the county in which this law is violated, may enter an action by the payment of the regular fees in such court, and the filing of bonds necessary to guarantee costs. Such fees and costs may or may not be allowed, at the direction of the court.

§ 7. A failure to appear in court in cases under this law shall, after proper service has been proven and sworn to, subject the delinquent to a penalty for contempt of court not to exceed one hundred dollars (\$100) for each and every offense, at the discretion of the court.

§ 8. Willful violation of the eight hour law shall be deemed an offense, to which both the offending parties, the employer and employe may be made defendants, and shall on charges be proven, subject them to a fine of not to exceed one hundred dollars (\$100) for each and every offense.

§ 9. A failure to pay fine or fines imposed under the law, may subject such delinquent to a term in the county jail, not to exceed six months, at discretion of the court.

§ 10. All moneys received in fines under this law, after costs have been deducted, shall be paid over to the county authorities and used for the relief of the poor, under the direction of the county board.

11. Where the business is so pressing in the county court in which charges are filed as not to permit an immediate hearing, the judge of a neighboring county shall be called in by the county judge of the county in

4 which the offense has been committed, to hear such complaint.

§ 12. Nothing in this law shall curtail the hours a factory, mine or  
2 workshop may be in active operation: providing sufficient hands are em-  
3 ployed to secure against the violation of the eight hour law.

§ 13. All laws in conflict with this act are hereby repealed.

1. Introduced by Mr. O'Connor January 16, 1891, and ordered to first reading.
2. First reading January 16, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back May 21, 1891, passage recommended, and ordered to second reading.

---

## A BILL

For an act fixing eight (8) hours of labor as a legal days work.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly* That eight hours of labor shall constitute a days  
3 work for all manual labor, in mining, mechanical trades and occupations,  
4 arts and other employments, except in agricultural employment, such as the  
5 care of cattle, tilling of the land, and all occupations directly connected  
6 with the field or farm, but such exceptions shall not apply to the manu-  
7 facture of agricultural machinery or the care of cattle used for car service,  
8 mercantile or distributing purposes.

§ 2. In the event of accident to property or plant, which necessitates  
2 immediate attention and where delay would entail loss, the hours may be  
3 extended without incurring the penalties of this act.

§ 3. Where there exists a scarcity of laborers to perform the work re-  
2 quired within the eight hours, the penalties of this act shall not be incurred,  
3 provided the employer or employers shall file with the county court of the  
4 county in which a scarcity of laborers exists, a statement showing the facts

5 and praying for a day of hearing on which arguments may be made in  
6 open court; on the filing of said statements and fixing of date of hearing,  
7 the court shall order to be published in two of the leading newspapers in  
8 said county, if as many are published in said county, and if not in two  
9 newspapers generally read in said county or district, in and for which  
10 change of hours as asked, notifying all whom it may concern, that on the  
11 day fixed the county court of said county, said application will be heard  
12 praying for the temporary suspension of the eight hour law in certain mines,  
13 factories or workshops, and notifying those who have objections to offer, to  
14 present the same. If after hearing the evidence the opinion of the court is  
15 that a scarcity of laborers does exist, he shall, to meet the reasonable  
16 demands of said employer of labor, order the temporary suspension of the  
17 eight hour law in such mine, factory or workshop, as the case may require.

§ 4. The term of suspension of law shall not exceed six calendar months,  
2 and any further suspension of the law may be obtained as provided for in  
3 section 2.

§ 5. If during the term of suspension of the eight hour law it should  
2 become apparent that a number of men or women are out of employment,  
3 they may sign a petition to the county court stating that they are out of  
4 employment, and that they have offered their services to an employer of  
5 labor, whose mine, factory or workshop is operating under a suspension of  
6 the eight hour law, and that they have been refused employment, that the  
7 names attached to such petition are equal in number to five per cent. of  
8 those employed at such trade or calling in said factory, workshop or mine,  
9 and that they are willing to work on the conditions in force in said work  
10 shop, factory or mine; that they are competent to fill the positions applied  
11 for, that they are of good character and residents of the county for sixty  
12 days previous to the signing of said petition, and do not know of their own



13 knowledge of any good and sufficient reason why they should be unemploy-  
14 ed; on the filing of which the court shall cite to appear before him, the  
15 employer or employers, agent or agents of factory, workshop or mine work-  
16 ing under a suspension of the eight hour law, to show cause why the eight  
17 hour law should not go into immediate operation, as to him and his factory,  
18 etc. After hearing the evidence presented, the county court may, at his  
19 discretion, fix the date when said factory, workshop or mine shall recom-  
20 mence operating under the eight hour law; and from such decision there  
21 shall be no appeal.

§ 6. Any citizen, resident or voter of the county in which this law is  
2 violated, may enter an action by the payment of the regular fees in such  
3 court, and the filing of bonds necessary to guarantee costs, such fees and  
4 costs may or may not be allowed, at the discretion of the court.

§ 7. A failure to appear in court in cases under this law shall, after  
2 proper service has been proven and sworn to, subject the delinquent to a  
3 penalty for contempt of court, not to exceed one hundred dollars (\$100) for  
4 each and every offense, at the discretion of the court.

§ 8. Willful violation of the eight hour law shall be deemed an offense,  
2 to which both the offending parties, the employer and employe may be  
3 made defendants, and shall on charges being proven, subject them to a fine  
4 of not to exceed one hundred dollars (\$100) for each and every offense.

§ 9. A failure to pay fine or fines imposed under the law, may subject  
2 such delinquent to a term in the county jail, not to exceed six months, at  
3 discretion of the court.

§ 10. All moneys received in fines under this law, after costs have been  
2 deducted, shall be paid over to the county authorities and used for the  
3 relief of the poor, under the direction of the county board.

§ 11. Where the business is so pressing in the county court in which

2 charges are filed as not to permit an immediate hearing, the judge of a  
3 neighboring county shall be called in by the county judge of the county  
4 in which the offense has been committed, to hear such complaint.

§ 12. Nothing in this law shall curtail the hours a factory, mine or  
2 workshop may be in active operation; providing sufficient hands are  
3 employed to secure against a violation of the eight hour law.

§ 13. All laws in conflict with this act are hereby repealed.

- 1 Introduced by Mr. Lee, on January 10, 1891, and ordered to first reading.
- 2 First reading January 15, 1891, and referred to Committee on Agriculture, Horticulture and Forestry.
- 3 Reported back March 12, 1891, passed recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to amend sections 7 and 8 of chapter 147, entitled weights and measures," approved February 27, 1874, approved June 1, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections 7 and 8 of an act to amend an act entitled "An act to amend sections 7 and 8 of chapter 147, entitled weights and measures," approved February 27, 1874, approved June 1, 1889, be amended so as to read as follows:*

SECTION 7. Whenever any of the following articles shall be contracted for, or sold, or delivered, and no special contract or agreement shall be made to the contrary, the weight per bushel, or barrel, or divisible merchantable quantities of a barrel, shall be as follows:

- 1 Wheat flour, per barrel, 194 pounds.
- 2 Wheat flour, per half barrel, 96 pounds.
- 3 Wheat flour, per quarter barrel sack, 46 pounds.
- 4 Wheat flour, per eighth barrel sack, 23 pounds.
- 5 Corn meal, per bushel sack, 48 pounds.

- 10      Corn meal per half bushel sack, 24 pounds
- 11      Corn meal, per quarter bushel sack, 12 pounds.
- 12      Stone coal, per bushel, 80 pounds.
- 13      Unslaked lime, per bushel, 80 pounds.
- 14      Corn in the ear, per bushel, 70 pounds.
- 15      Wheat, per bushel, 60 pounds.
- 16      Irish potatoes, per bushel, 60 pounds.
- 17      White beans, per bushel, 60 pounds.
- 18      Clover seed, per bushel, 60 pounds.
- 19      Onions, per bushel, 57 pounds.
- 20      Shelled corn, per bushel, 56 pounds.
- 21      Rye, per bushel, 56 pounds.
- 22      Flax seed, per bushel, 56 pounds.
- 23      Sweet potatoes, per bushel, 50 pounds.
- 24      Turnips, per bushel, 55 pounds.
- 25      Fine salt, per bushel, 55 pounds.
- 26      Buckwheat, per bushel, 52 pounds.
- 27      Coarse salt, per bushel, 50 pounds.
- 28      Barley, per bushel, 48 pounds.
- 29      Castor beans, per bushel, 46 pounds.
- 30      Timothy seed, per bushel, 45 pounds.
- 31      Hemp seed, per bushel, 44 pounds.
- 32      Malt, per bushel, 38 pounds.
- 33      Dried peaches, per bushel, 33 pounds.
- 34      Oats, per bushel, 32 pounds.
- 35      Dried apples, per bushel, 24 pounds.
- 36      Bran, per bushel, 20 pounds.
- 37      Blue grass seed, per bushel, 14 pounds.
- 38      Hair (plastering), per bushel, 8 pounds.

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Section 8. Whoever, in buying any of the articles of property mentioned

2 in the preceding section, shall take any greater number of pounds thereof  
3 to the bushel, or barrel, or divisible merchantable quantity of a barrel, or  
4 in selling any of said articles, shall give any less number of pounds thereof  
5 to the bushel, or barrel, or divisible merchantable quantity of a barrel, than  
6 is allowed by said section, with intent to gain an advantage thereby, except  
7 expressly authorized so to do by special contract or agreement to that effect,  
8 shall be liable to the party injured in double the amount of the property  
9 so wrongfully taken or not given and ten dollars (\$10) in addition thereto,  
10 to be recovered in any form of action, in any court of competent juris-  
11 diction.



1. Introduced by Mr. Arnold, January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on Mines and Mining.
3. Reported back February 27, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to provide for the payment of wages in lawful money, and to prohibit the truck system, and to prevent deductions from wages except for lawful money actually advanced.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person, company, corporation or association, now engaged or hereafter to be engaged in any mining or manufacturing business in this State, to engage in, or be interested in, directly or indirectly, in keeping of a truck store, or controlling of any store, shop or scheme for the furnishing of supplies, tools, clothing, provisions or groceries to his, its or their employees while so engaged in mining or manufacturing.

**SECTION 2.** Every person, company, corporation or association found guilty of violating section one (1) of this act, either by himself, its or their agents, servants or employees, or partners, shall be guilty of a misdemeanor for each and every day such business is done in violation of said section, and on conviction will be liable to a fine for each offense of not less than fifty (50) nor more than two hundred (200) dollars, to be recovered in the name of the people, for the use of the school fund, and any person having knowledge of the fact that said section has been violated may make complaint,

8 and cause summons or warrant to be issued, and if conviction follows and  
9 fine be paid, such person shall be entitled to one half the fine; when col-  
10 lected, to be paid by order of court to such person.

§ 3. It shall be unlawful for any person, company, corporation or asso-  
2 ciation, employing workmen in this State, to make deductions from the  
3 wages of his, its or their workmen, except for lawful money, checks or  
4 drafts actually advanced without discount, and except such sums as may be  
5 agreed upon between employer and employee, which may be deducted for  
6 hospital or relief fund for sick or injured employees.

§ 4. Any deductions made from the wages of any workman in this State,  
2 except as provided in section three (3) of this act, may be recovered in any  
3 appropriate action before any court of competent jurisdiction, together with  
4 such reasonable attorney's fees as the court in its discretion shall think  
5 proper, and no offset or counter claim of any kind shall be allowed in such  
6 action or proceeding.

§ 5. All attempts to evade or avoid the provisions of this act, by con-  
2 tract or otherwise, shall be deemed a violation thereof, and, for every vio-  
3 lation, in addition to the civil remedy provided for in section four(4), there  
4 shall, on conviction, be a fine imposed of not less than fifty (50) nor more  
5 than two hundred (200) dollars for each offense.

§ 6. Nothing in this act shall be so construed as to include the business  
2 of farmers, or farm laborers, or servants.

§ 7. "Truck" means the payment of wages otherwise than in lawful  
2 money, or otherwise than to the full amount earned by the employee.



1. Introduced by Mr. Arnold, January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the payment of wages in lawful money, and to prohibit the truck system, and to prevent deductions from wages except for lawful money actually advanced.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That it shall be unlawful for any person, company, corporation or association, now engaged or hereafter to be engaged in any mining or manufacturing business in this State, to engage in, or be interested in, directly or indirectly, in keeping of a truck store, or controlling of any store, shop or scheme for the furnishing of supplies, tools, clothing, provisions or groceries to his, its or their employes while so engaged in mining or manufacturing.

§ 2. Every person, company, corporation or association found guilty of violating section one (1) of this act, either by himself, its or their agents, servants or employes, or partners, shall be guilty of a misdemeanor for each and every day such business is done in violation of said section, and on conviction will be liable to a fine for each offense of not less than fifty (50) nor more than two hundred (200) dollars, to be recovered in the name of the people, for the use of the school fund, and any person having knowledge of the fact that said section has been violated may make complaint,

9 and cause summons or warrant to be issued, and if conviction follows and  
10 fine be paid, such person shall be entitled to one-half the fine, when col-  
11 lected, to be paid by order of court to such person.

§ 3. It shall be unlawful for any person, company, corporation or asso-  
2 ciation, employing workmen in this State, to make deductions from the  
3 wages of his, its or their workmen, except for lawful money, checks or  
4 drafts actually advanced without discount, and except such sums as may be  
5 agreed upon between employer and employe, which may be deducted for  
6 hospital or relief fund for sick or injured employes.

§ 4. Any deductions made from the wages of any workman in this State,  
2 except as provided in section three (3) of this act, may be recovered in any  
3 appropriate action before any court of competent jurisdiction, together with  
4 such reasonable attorney's fees as the court in its discretion shall think  
5 proper, and no offset or counter claim of any kind shall be allowed in such  
6 action or proceeding.

§ 5. All attempt to evade or avoid the provisions of this act, by con-  
2 tract or otherwise, shall be deemed a violation thereof, and for every vio-  
3 lation, in addition to the civil remedy provided for in section four (4), there  
4 shall, on conviction, be a fine imposed of not less than fifty (50) nor more  
5 than two hundred (200) dollars for each offense.

§ 6. Nothing in this act shall be so construed as to include the business  
2 of farmers, or farm laborers, or servants.

§ 7. "Truck" means the payment of wages otherwise than in lawful  
2 money, or otherwise than to the full amount earned by the employe.

1. Introduced by Mr. Arnold, January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on Mines and Mining.
3. Report of back April 1, 1891, passage recommended, and ordered to second reading.
4. Second reading April 16, 1891, adopted, and ordered to a second reading.

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## A BILL

For an act to provide for the payment of wages in lawful money, and to prohibit the truck system, and to prevent deductions from wages except for lawful money actually advanced.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall be unlawful for any person, company,  
3 corporation or association, now engaged or hereafter to be engaged in any  
4 mining or manufacturing business in this State, to engage in, or be inter-  
5 ested in, directly or indirectly, in keeping of a truck store, or controlling  
6 of any store, shop or scheme for the furnishing of supplies, tools, clothing,  
7 provisions or groceries to his, its or their employees while so engaged in  
8 mining or manufacturing.

2 Every person, company, corporation or association found guilty of  
3 violating section one (1) of this act, either by himself, its or their agents,  
4 servants or employees, or partners, shall be guilty of a misdemeanor for each  
5 and every day such business is done in violation of said section, and on  
6 conviction will be liable to a fine for each offense of not less than fifty  
7 0.00 nor more than two hundred (200) dollars, to be recovered in the name

7 of the people, for the use of the school fund, and any person having knowl-  
8 edge of the fact that said section has been violated may make complaint,  
9 and cause summons or warrant to be issued.

§ 3. It shall be unlawful for any person, company, corporation or asso-  
2 ciation, employing workmen in this State to make deductions from the  
3 wages of his, its or their workmen, except for lawful money, checks or  
4 drafts actually advanced without discount, and except such sums as may be  
5 agreed upon between employer and employe, which may be deducted for  
6 hospital or relief fund for sick or injured employes.

§ 4. Any deductions made from the wages of any workman in this State,  
2 except as provided in section three (3) of this act, may be recovered in any  
3 appropriate action before any court of competent jurisdiction, together with  
4 such reasonable attorney's fees as the court in its discretion shall think  
5 proper, and no offset or counter claim of any kind shall be allowed in such  
6 action or proceeding.

§ 5. All attempt to evade or avoid the provisions of this act, by contract  
2 or otherwise, shall be deemed a violation thereof, and for every violation,  
3 in addition to the civil remedy provided for in section four (4), there shall,  
4 on conviction, be a fine imposed of not less than fifty (50) nor more than  
5 two hundred (200) dollars for each offense.

§ 6. Nothing in this act shall be so construed as to include the business  
2 of farmers, or farm laborers, or servants.

§ 7. "Truck" means the payment of wages otherwise than in lawful  
2 money, or otherwise than to the full amount earned by the employe.

Introduced by Mr. Beck, January 14, 1891, and ordered to first reading.

Read second time January 20, 1891, and referred to Committee on Education and Educational Institutions.

Re-reported Jan. 23, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to compell the education of children.

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*SENATE.* *Be it enacted by the People of the State of Illinois, represented in Senate and House of Representatives:* That every person having under his control a child between the ages of seven and fourteen years, shall annually cause such child to attend for at least fifteen weeks, eight weeks of which shall be in attendance upon public day school in the city, town or district in which he or she resides, which time shall commence with the beginning of the regular term of the school year on or as soon as thereafter as due notice shall be given by the person having such control of his duty under this act; and every person neglecting such duty on pain of infelity shall forfeit to the use of the State a fine of not less than five nor more than ten dollars, and shall stand committed until such fine and costs are paid in full. But if the person so neglecting shall show to the satisfaction of the board of education or of directors that such child has attended more or less period of time in private or other school approved by the board of education or directors of the county in which such child resides, or that instruction has otherwise been given in like period of time to such child in branches required to be taught by this act, or that such child has already acquired the branches of learning required to be taught

19 under this act, or that his physical or mental condition as declared by a  
 20 competent physician is such as to render such attendance inexpedient and  
 21 impracticable, then such penalty shall not be incurred. Such fine shall be  
 22 paid when collected to the school treasurer of such city or township to be  
 23 accounted for by him as other school moneys, and for school purposes,  
 24 but no school shall be regarded as a school under this act unless there  
 25 shall be taught therein in the English language reading writing and  
 26 history of the United States.

§ 2. It shall be the duty of the board of education in every city and  
 2 the board of school directors in every school district to appoint one or  
 3 more truant officers, whose duty it shall be carefully to inquire concerning  
 4 all supposed violations of this act, and to enter complaint against all per-  
 5 sons who shall appear to be guilty of such violation. It shall also be the  
 6 duty of said officer to apprehend children of a school age who habit-  
 7 ually haunt public places, and have no lawful occupation, and also truant  
 8 children who absent themselves from school without leave, and to place  
 9 them in charge of the teacher having charge of the public school which  
 10 the said children are by law entitled to attend, or such school as is des-  
 11 ignated by the parent of such child and approved as aforesaid. And it  
 12 shall be the duty of said teacher to assign said children to the proper  
 13 classes, and to instruct them in such studies as they are fitted to pursue.  
 14 Said truant officers shall have such compensation for services rendered  
 15 under this act, as shall be determined by the board of education or the  
 16 board of directors appointing such officer, which compensation shall be paid  
 17 from the distributable school fund.

§ 3. Any person having control of a child, who with intent to evade the  
 2 provisions of this act shall make a willful false statement concerning the  
 3 age of such child, or the time such child has attended school, shall for  
 4 such offense forfeit a sum of not less than \$3 nor more than \$20 for the  
 5 use of the public school fund of such city or district.

1 4. Prosecutions under this act shall be instituted and carried on by  
2 authority of such boards, and be brought in the name of the People of the  
3 State of Illinois, for the use of the school fund of said city or township.

1 5. Police, municipal courts, justices of the peace and judges of the  
2 county court shall have jurisdiction within their respective counties of the  
3 offenses described in this act.

1 6. "An act concerning the education of children," approved May 24,  
2 1889, and in force July 1, 1889, is hereby repealed.





1. Reported by Mr. Clark January 11, 1891, and ordered to first reading.  
First reading January 11, 1891, and referred to Committee on License and Game.  
2. Reported back February 26, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section one of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds," approved June 1, 1889, and in force July 1, 1889.

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*Enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That section one (1) of an act entitled "An act to  
3 revise and consolidate the several acts relating to the protection of game  
4 and for the protection of deer, wild fowl and birds," approved June 1, 1889,  
5 and in force July 1, 1889, be and the same is hereby amended so as to read  
6 as follows:

Section 1. That it shall be unlawful for any person or persons to hunt,  
2 pursue, kill, trap, net or ensnare or otherwise destroy any wild buck, doe  
3 or fawn or wild turkey, between the fifteenth day of January and the first  
4 day of September of each year; or any year; or any pinnated grouse or  
5 prairie chicken, between the first day of December and the first day of  
6 September of the succeeding year; or any ruffed grouse, quail, pheasant or  
7 partridge, between the first day of December and the first day of November  
8 of each year succeeding or any year; or any woodcock, between the fifteenth  
9 day of September and the fifteenth day of July of each succeeding or any year;

10 or any gray, red, fox or black squirrel between the fifteenth day of Decem-  
11 ber and the first day of June of each succeeding or any year; and it shall  
12 be unlawful to kill, hunt, destroy, snare, entrap, or attempt to kill, hunt,  
13 snare, entrap, or otherwise destroy any wild goose, duck, brant or other  
14 water fowl at any time between the fifteenth day of April and the fifteenth  
15 day of September of any year; and it shall be unlawful to hunt, kill, trap,  
16 ensnare, or attempt to hunt, kill, trap, ensnare, or otherwise destroy any  
17 wild goose, brant, duck, rail or other water fowl between sunset of any  
18 day and sunrise of the next day succeeding at any period of the year; and  
19 shall further be unlawful, at any time, to hunt, kill, trap or ensnare, or to  
20 attempt to hunt, kill, trap or ensnare, or otherwise destroy any wild goose,  
21 brant, duck or other water fowl from any fixed or artificial ambush beyond  
22 a natural covering of reeds, canes, flags, wild rice or other vegetation above  
23 the water of any lake, river, bay or inlet, or other watercourse wholly  
24 within this State, or in such part of such stream or watercourse wholly  
25 within this State, or with the aid and use of any device commonly called  
26 sneak boat, sink box, or other device used for the purpose of concealment  
27 in the open waters of this State; and it shall further be unlawful to shoot,  
28 kill or destroy, or shoot at any wild goose, duck, brant or other water  
29 fowl with a swivel gun, or from any sailboat or steamboat, at any time, in  
30 any part of the water of any lake, river, bay or inlet or other watercourse  
31 wholly within this State; and any person so offending shall, for each and  
32 every offense, be deemed guilty of a misdemeanor, and on conviction shall  
33 be fined in any sum not less than five dollars nor more than twenty-five  
34 dollars and costs of suit, and shall stand committed to the county jail  
35 until such fines and costs are paid: *Provided*, that such imprisonment shall  
36 not exceed ten days, and the killing of each bird or animal herein specified  
37 shall be deemed a separate offense.

## A BILL

[illegible]

9 the fifteenth day of September and the fifteenth day of July of each  
10 succeeding or any year; or any gray, red, fox or black squirrel between the  
11 fifteenth day of December and the first day of June of each succeeding or  
12 any year; and it shall be unlawful to kill, hunt, destroy, snare, entrap, or  
13 attempt to kill, hunt, snare, entrap or otherwise destroy any wild goose,  
14 duck, brant or other water fowl at any time between the fifteenth day of  
15 April and the fifteenth day of September of any year; and it shall be  
16 unlawful to hunt, kill, trap, ensnare, or attempt to hunt, kill, trap, ensnare,  
17 or otherwise destroy any wild goose, brant, duck, rail or water fowl between  
18 sunset of any day and sunrise of the next day succeeding at any period of  
19 the year, and it shall further be unlawful, at any time, to hunt, kill, trap  
20 or ensnare, or to attempt to hunt, kill, trap or ensnare, or  
21 otherwise destroy any wild goose, brant, duck or other fowl from  
22 any fixed or artificial ambush beyond a natural covering of reeds,  
23 canes, flags, wild rice or other vegetation above the water of any lake  
24 river, bay or inlet, or other watercourse wholly within this State, or in  
25 such part of such stream or watercourse wholly within this State, or with  
26 the aid and use of any device commonly called sneak boat, sink box, or  
27 other device used for the purpose of concealment in the open waters of this  
28 State; and it shall further be unlawful to shoot, kill or destroy, or shoot at  
29 any wild goose, duck, brant or other water fowl with a swivel gun, or from  
30 any sail boat or steamboat, at any time, in any part of the water of any  
31 lake, river, bay or inlet or other watercourse wholly within this State;  
32 it shall be unlawful to kill any wood duck prior to the first day of  
33 September of any year; and any person so offending shall, for each and  
34 every offense, be deemed guilty a misdemeanor, and on conviction shall be  
35 fined in any sum not less than five dollars nor more than twenty-five  
36 dollars and costs of suit, and shall stand committed to the county jail until such  
37 fines and costs are paid; *Provided*, that such imprisonment shall not exceed  
38 ten days, and the killing of each bird or animal herein specified shall be  
39 deemed a separate offense.

1. Introduced by Mr. Hamer January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on License and Miscellaneous.
3. Reported back February 26, 1891, passage recommended and ordered to second reading.
4. Second reading March 4, 1891, amended, and ordered to third reading.
5. March 6, 1891, recalled, again amended and ordered to a third reading.

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## A BILL

For an act to amend section one (1) of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds," approved June 1, 1889, and in force July 1, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds," approved June 1, 1889, and in force July 1, 1889, be and the same is hereby amended so as to read as follows:

Section 1. That it shall be unlawful for any person or persons to hunt, pursue, kill, trap, net or ensnare or otherwise destroy any wild buck, doe or fawn or wild turkey, between the first day of January and the first day of November of each year, or any year; or any pinnated grouse or prairie chicken, between the first day of December and the first day of September of the succeeding year; or any ruffed grouse, quail, pheasant or

7 partridge, between the fifteenth day of December and the first day of  
8 November of each year succeeding or any year; or any woodcock, between  
9 the fifteenth day of September and the fifteenth day of July of each  
10 succeeding or any year; or any gray, red, fox, or black squirrel between the  
11 fifteenth day of December and the first day of June of each succeeding or  
12 any year; and it shall be unlawful to kill, hunt, destroy, snare, entrap, or  
13 attempt to kill, hunt, snare, entrap, or otherwise destroy any wild goose,  
14 duck, brant or other water fowl at any time between the fifteenth day of  
15 April and the fifteenth day of September of any year; and it shall be  
16 unlawful to hunt, kill, trap, ensnare, or attempt to hunt, kill, trap, ensnare,  
17 or otherwise destroy any wild goose, brant, duck, rail or other water fowl between  
18 sunset of any day and sunrise of the next day succeeding at any period of  
19 the year, and it shall further be unlawful, at any time, to hunt, kill, trap  
20 or ensnare, or to attempt to hunt, kill, trap or ensnare, or  
21 otherwise destroy any wild goose, brant, duck or other water fowl from  
22 any fixed or artificial ambush beyond a natural covering of reeds,  
23 canes, flags, wild rice or other vegetation above the water of any lake,  
24 river, bay or inlet, or other watercourse wholly within this State, or in  
25 such part of such stream or watercourse wholly within this State, or with  
26 the aid and use of any device commonly called sneak boat, sink box, or  
27 other device used for the purpose of concealment in the open waters of this  
28 State; and it shall further be unlawful to shoot, kill or destroy, or shoot at  
29 any wild goose, duck, brant or other water fowl with a swivel gun, or from  
30 any sail boat or steamboat, at any time, in any part of the water of any  
31 lake, river, bay or inlet or other watercourse wholly within this State;  
32 it shall be unlawful to kill any wood duck prior to the first day of  
33 September of any year; and any person so offending shall, for each and  
34 every offense, be deemed guilty a misdemeanor, and on conviction shall be  
35 fined in any sum not less than five dollars nor more than twenty-five

36 dollars and costs of suit, and shall stand committed to the county jail until such  
37 fines and costs are paid: *Provided*, that such imprisonment shall not exceed  
38 ten days, and the killing of each bird or animal herein specified shall be  
39 deemed a separate offense.





- 1 Introduced by Mr. Bogardus, January 14, 1891, and ordered to first reading.
- 2 First reading January 14, 1891, and referred to Committee on License and Miscellany.
- 3 Reported back February 19, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to protect associations and unions of workmen in their labels,  
trade marks and forms of advertising.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* Whenever any association or union of workmen  
3 have adopted, or shall hereafter adopt, for their protection, any label, trade  
4 mark, or form of advertisement announcing that goods to which such label,  
5 trade mark, or form of advertisement, shall be attached, were manufactured  
6 by a member or members of such association or union, it shall be unlawful  
7 for any person or corporation to counterfeit or imitate such label, trade  
8 mark, or form of advertisement. Every person violating this section shall  
9 upon conviction be punished by imprisonment in the county jail for not  
10 less than three months or more than one year, or by a fine of not less than  
11 one hundred dollars nor more than two hundred dollars, or both.

§ 2. Every person who shall use any counterfeit or imitation of any label,  
2 trade mark, or form of advertisement of any such union or association,  
3 knowing the same to be a counterfeit or imitation, shall be guilty of a  
4 misdemeanor, and shall be punished by imprisonment in the county jail for  
5 a term of not less than three months nor more than one year, or by a fine

6 of not less than one hundred dollars nor more than two hundred dollars,  
7 or both.

§ 3. Every such association or union that has heretofore adopted, or shall  
2 hereafter adopt a label, trade mark or form of advertisement as aforesaid,  
3 may file the same for record in the office of the Secretary of State, by  
4 leaving two copies, counterparts or fac-similes thereof with the Secretary of  
5 State; said Secretary shall deliver to such association or union so filing the  
6 same a duly attested certificate of the record of the same, for which he  
7 shall receive a fee of one dollar. Such certificate of record shall in all suits  
8 and prosecutions under this act be sufficient proof of the adoption of such  
9 label, trade mark, or form of advertisement, and of the right of said asso-  
10 ciation or union to adopt the same.

§ 4. Every such association or union adopting a label, trade mark, or  
2 form of advertisement as aforesaid, may proceed by suit to enjoin the  
3 manufacture, use, display, or sale of any such counterfeits or imitations;  
4 and all courts having jurisdiction thereof shall grant injunctions to restrain  
5 such manufacture, use, display, or sale, and shall award the complainant in  
6 such suit, such damages, resulting from such wrongful manufacture, use,  
7 display, or sale, as may by said court be deemed just and reasonable, and  
8 shall require the defendants to pay to such association or union the profits  
9 derived from such wrongful manufacture, use, display or sale; and said  
10 court shall also order that all such counterfeits or imitations in the possession  
11 or under the control of any defendant in such case be delivered to an officer  
12 of the court, or to the complainant, to be destroyed.

§ 5. Every person who shall use or display the genuine label, trade mark,  
2 or form of advertisement of any such association or union, in any manner  
3 not authorized by such union or association, shall be deemed guilty of a  
4 misdemeanor, and shall be punished by imprisonment in the county jail not  
5 less than three months nor more than one year, or by a fine of not less  
6 than one hundred dollars nor more than two hundred dollars, or both. In

7 all cases where such association or union is not incorporated, suits under  
8 this act may be commenced and prosecuted by any officer or member of  
9 such association or union on behalf of, and for the use of, such association  
10 or union.

11 § 6. Any person or persons who shall in any way use the name or seal  
12 of any such association or union, or officer thereof, in and about the sale of  
13 goods or otherwise, not being authorized to so use the same, shall be  
14 guilty of a misdemeanor punishable by imprisonment in the county jail of  
15 not less than three months nor more than one year, or by a fine of not less than  
16 one hundred dollars nor more than two hundred dollars, or both.

17 § 7. The fines provided for in this act may be enforced before a justice  
18 of the peace in all cases where the party complaining shall so elect, and in  
19 case of conviction before such justice of the peace the offender shall stand  
20 committed to the county jail until the fine and costs are fully paid, under  
21 the provisions of section 8, article IX, of "An act to revise the law in  
22 regard to criminal jurisprudence," in force July 1, 1874, or otherwise.



1. Introduced by Mr. Bogardus, January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on License and Miscellany.
3. Reported back February 18, passage recommended, and ordered to second reading.
4. Second reading March 3 and amended, and on March 5 ordered to third reading.

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## A BILL

For an act to protect associations and unions of workingmen and persons in their labels, trade marks and forms of advertising.

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**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* Whenever any person, association or union of  
3 workingmen have adopted, or shall hereafter adopt for their protection,  
4 any label, trade mark, or form of advertisement announcing that goods to  
5 which such label, trade mark, or form of advertisement shall be attached,  
6 were manufactured by a member or members of such person, association or  
7 union, it shall be unlawful for any person or corporation to counterfeit or  
8 imitate such label, trade mark or form of advertisement. Every person vio-  
9 lating this section shall upon conviction be punished by imprisonment in  
10 the county jail for not less than three months nor more than one year, or  
11 by a fine of not less than one hundred dollars nor more than two hundred  
12 dollars, or both.

13 2. Every person who shall use any counterfeit or imitation of any label,  
2 trade mark, or form of advertisement of any such person, union or associa-

tion, knowing the same to be counterfeit or imitation, shall be guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for a term of not less than three months nor more than one year, or by a fine or not less than one hundred dollars nor more than two hundred dollars, or both.

§ 3. Every such person, association or union that has heretofore adopted, or shall hereafter adopt, a label, trade-mark or form of advertisement as aforesaid may file the same for record in the office of the Secretary of State, by leaving two copies, counterparts or facsimiles thereof, with the Secretary of State; said Secretary shall deliver to such person, association or union so filing the same a duly attested certificate of the record of the same, for which he shall receive a fee of one dollar. Such certificate of record shall in all suits and prosecutions under this act be sufficient proof of the adoption of such label, trade-mark, or form of advertisement, and of the right of said person, association or union to adopt the same. No label shall be recorded that, probably, would be mistaken for a label already of record.

§ 4. Every such person, association or union adopting a label, trade-mark, or form of advertisement, as aforesaid, may proceed by suit to enjoin the manufacture, use, display, or sale of any such counterfeits or imitations; and all courts having jurisdiction thereof shall grant injunctions to restrain such manufacture, use, display, or sale, and shall award the complainant in such suit, such damages, resulting from such wrongful manufacture, use, display or sale, as may by said court be deemed just and reasonable, and shall require the defendants to pay to such person, association or union the profits derived from such wrongful manufacture, use, display or sale; and said court shall also order that all such counterfeits or imitations in the possession or under the control of any defendant in such case be delivered to an officer of the court, or to the complainant to be destroyed.

§ 5. Every person who shall use or display the genuine label, trade-mark,

2 or form of advertisement of any such person, association or union, in any  
3 manner not authorized by such person, union or association, shall be  
4 deemed guilty of a misdemeanor, and shall be punished by imprisonment  
5 in the county jail not less than three months nor more than one year, or  
6 by a fine of not less than one hundred dollars nor more than two hun-  
7 dred dollars, or both. In all cases where such person, association or union  
8 is not incorporated, suits under this act may be commenced and prosecuted  
9 by any officer or member of such association or union on behalf of and for  
10 the use of such association or union.

1 § 6. Any person or persons who shall in any way use the name or seal of  
2 any such person, association or union, or officer thereof, in and about the  
3 sale of goods or otherwise, not being authorized to so use the same, shall  
4 be guilty of a misdemeanor, punishable by imprisonment in the county jail  
5 of not less than three months nor more than one year, or by fine of not  
6 less than one hundred dollars nor more than two hundred dollars, or both.

7 § 7. The fines provided for in this act may be enforced before a justice  
8 of the peace in all cases where the party complaining shall so elect, and in  
9 case of conviction before such justice of the peace the offender shall stand  
4 committed to the county jail until the fine and costs are fully paid, under  
5 the provisions of section 8, article IX, of "An act to revise the law in re-  
6 gard to criminal jurisprudence," in force July 1, 1874, or otherwise.





**AMENDMENTS TO SENATE BILL No. 43.**

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Amendments to Senate bill No. 43. Adopted by the House April 1, 1891, and ordered printed and engrossed.

First Insert after the word "manufactured" in line 10 of section 1 the words "by such person or "

Second Strike out the word "person" in line 11 of section one.

Third Strike out the word "person" in line 13 of section five.



1. Introduced by Mr. Higbee January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to give cities, incorporated towns, townships and districts in which free schools are now managed under special acts, authority to elect boards of education having the same powers as boards of education now elected under the general free school laws of this State.

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### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That any city, incorporated town, township or  
3 district having a population of not less than one thousand and not over  
4 one hundred thousand inhabitants, in which free schools are now managed  
5 under any special act, may by vote of its electors, determine to elect, in-  
6 stead of the directors or other governing or managing board, now provided  
7 for by such special act, a board of education which shall be elected at the  
8 time and in the manner and have the powers now conferred by law upon  
9 boards of education of districts not governed by any special act

10 2. Upon petition of fifty voters of such city, town, township or district,  
2 presented to the board having the control and management of schools in  
3 such city, town, township or district, it shall be the duty of such board, at  
4 the next ensuing election to be held in such city, town, township or dis-  
5 trict, to cause to be submitted to the voters thereof, giving not less than  
6 fifteen days notice thereof, by posting not less than five notices in the most

7 public places in such city, town, township or district, the question of  
 8 "electing a board of education having the powers conferred upon such  
 9 boards in districts organized under the free school law," which, so far as  
 10 be in the following form, to wit:

11 Public notice is hereby given that on the \_\_\_\_\_ day of \_\_\_\_\_ A. D.  
 12 an election will be held at \_\_\_\_\_ between the hours of \_\_\_\_\_ and  
 13 m. of said day for the purpose of deciding the question of "electing a board  
 14 of education having the powers conferred upon such boards in districts  
 15 organized under the free school law."

16 If it shall appear upon a canvass of the returns of such election that a  
 17 majority of the votes cast at such election are "for electing a board of edu-  
 18 cation having the powers conferred upon such boards in districts organized  
 19 under the free school law," then at the time of the next regular session  
 20 for boards of education under the free school law, there shall be elected a  
 21 board of education for such district; and should there not be sufficient  
 22 time to give the notice required by law for such election, then such elec-  
 23 tion may be held on any Saturday thereafter, but all such elections shall  
 24 shall be held at the time provided by the free school law.

15. All acts and parts of acts in conflict with this act are hereby re-  
 2 pealed.

§ 4. Whereas an emergency exists requiring this act to take immediate  
 2 effect, therefore be it enacted that this act shall be in force from and after  
 3 its passage.

- Reported by Mr. H. C. Smith, 1890, and ordered to first reading.
2. Bill for the purpose of amending an act relating to the Board of Education and Educational Institutions.  
Reported back February 18, 1891, passage recommended and ordered to second reading.
3. Second reading March 1, 1891, passed, and ordered to third reading.

## A BILL

For an act to give to cities, towns, townships and districts in which free schools are now managed, the authority to elect boards of education having the same powers as boards of education now elected under the laws of this State.

### SECTION 1. *Be it enacted by the People of the State of New*

1 *York:* That in any city, town, township or dis-

2 trict having a population of not less than one thousand and not over

3 twenty thousand, which are in which free schools are now managed

4 under any special act may by vote of its electors determine to elect, in

5 stead of the board now authorized by law, a governing or managing board, now provided

6 by any special act a board of education which shall be elected at the

7 time and in the manner which the powers now conferred by law upon

8 boards of education of districts not covered by any special act.

2. That in any city, town, township or dis-

3 trict, provided to the board may be the control and management of schools

4 in such city, town, township or district. It shall be the duty of such board,

5 at the next annual election to be held in such city, town, township or dis-

6 trict, to cause to be submitted to the voters thereof, giving not less than

7 fifteen days notice thereof, by posting not less than five notices in the most

7 public places in such city, town, township or district the question of "elect-  
 8 ing a board of education having the powers conferred upon such boards in  
 9 districts organized under the free school law," which notice may be in the  
 10 following form, to-wit:

11 Public notice is hereby given that on the ... day of ..... A. D. ....  
 12 an election will be held at ..... between the hours of .... m. and ....  
 13 m. of said day, for the purpose of deciding the question of "electing a  
 14 board of education having the powers conferred upon such boards in dis-  
 15 tricts organized under the free school law."

16 If it shall appear upon a canvass of the returns of such election that a  
 17 majority of the votes cast at such election are "for electing a board of edu-  
 18 cation having the powers conferred upon such boards in districts organized  
 19 under the free school law," then at the time of the next regular election  
 20 for boards of education under the free school law, there shall be elected a  
 21 board of education for such disteict; and should there not be sufficient  
 22 time to give the notice required by law for such election, then such elec-  
 23 tion may be held on any Saturday thereafter, but all subsequent elections  
 24 shall be held at the time provided by the free school law.

4     § 3. All acts and parts of acts in conflict with this act are hereby re-  
 2 pealed.

      § 4. Whereas, an emergency exists requiring this act to take immediate  
 2 effect, therefore be it enacted that this act shall be in force from and after  
 3 its passage.

1. Introduced by Mr. Higbee January 14, 1891, and ordered to first reading.
2. First reading January 14, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, passage recommended and ordered to second reading.
4. Reported to House March 20, 1891.
5. Read a first time March 24, 1891, and referred to Committee on Education.

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## A BILL

For an act to give cities, incorporated towns, townships and districts in which free schools are now managed under special acts, authority to elect boards of education having the same powers as boards of education now elected under the general free school laws of this State.

*Section 1. That every bill of the Senate of the State of Illinois reported in the General Assembly. That any city, incorporated town, township or district having a population of not less than one thousand and not over twenty thousand inhabitants, in which free schools are now managed under any special act, may by vote of its electors determine to elect, in stead of the directors or other governing or managing board, now provided for by such special act, a board of education which shall be elected at the time and in the manner and have the powers now conferred by law upon boards of education of districts not governed by any special act.*

*Section 2. Upon petition of fifty voters of such city, town, township or district, presented to the board having the control and management of schools in such city, town, township or district, it shall be the duty of such board, at the next ensuing election to be held in such city, town, township or dis-*

5 trict, to cause to be submitted to the voters thereof, giving not less than  
6 fifteen days notice thereof, by posting not less than five notices in the most  
7 public places in such city, town, township or district, the question of  
8 "electing a board of education having the powers conferred upon such  
9 boards in districts organized under the free school law," which notice may  
10 be in the following form, to-wit:

11 Public notice is hereby given that on the .... day of ....., A. D. ....,  
12 an election will be held at ..... between the hours of .... m. and ....  
13 m. of said day for the purpose of deciding the question of "electing a board  
14 of education having the powers conferred upon such boards in districts  
15 organized under the free school law."

16 If it shall appear upon a canvass of the returns of such election that a  
17 majority of the votes cast at such election are "for electing a board of edu-  
18 cation having the powers conferred upon such boards in districts organized  
19 under the free school law," then at the time of the next regular election  
20 for boards of education under the free school law there shall be elected a  
21 board of education for such district; and should there not be sufficient  
22 time to give the notice required by law for such election, then such elec-  
23 tion may be held on any Saturday thereafter, but all subsequent elections  
24 shall be held at the time provided by the free school law.

§ 3. All acts and parts of acts in conflict with this act are hereby re-  
2 pealed.

§ 4. Whereas, an emergency exists requiring this act to take immediate  
2 effect, therefore be it enacted that this act shall be in force from and after  
3 its passage.



1. Introduced by Mr. Karraker January 15, 1891, and ordered to first reading.
2. First reading January 15, 1891, and referred to Committee on Waterways and Drainage.
3. Reported back March 5, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 199 of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 199 of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, be and the same is hereby amended so as to read as follows:

§ 199. Whoever wilfully and wantonly obstructs the passage of any stream or water course by casting, telling or depositing any tree, timber or other thing across or into the same whereby the flow of water is prevented, hindered or impeded shall be fined not exceeding \$500.00, or confined in the county jail not exceeding six months, or both: *Provided,* that nothing herein contained shall prevent the maintenance or construction of dams for manufacturing or other lawful purpose, nor the maintenance or construction of bridges in such manner as not to interrupt the flow of water: *And provided, further,* that this section shall not apply to any person who shall lawfully fell any tree for use and immediately removes the same out of the stream or water course.



1. Introduced by Mr. Lehman, January 15, 1891, and ordered to first reading.
2. First reading January 15, 1891, and referred to Committee on Judiciary.
3. Reported back April 10, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act in relation to the issuing of fee bills and to repeal "An act in relation to the issuing of fee bills," approved and in force February 24, 1859.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That hereafter the clerk of any court of record in this State may issue fee bills for costs, upon proper precept filed in this office therefor by any party interested in costs in any suit, or in his own behalf, without such precept, at any time within seven years after the rendition of the judgment or of a revivor thereof, or accruing of the right to issue the same and not thereafter; which fee bills shall have the same force and effect as liens upon real or personal property, or otherwise, as judgments, decrees or writs of execution now have.

§ 2. That an act entitled "An act in relation to the issuing of fee bills," approved and in force February 24, 1859, be and the said act is hereby repealed.



and ordered to first  
 ... .. Education  
 ... .. of Com-

## A BILL

1. that the *People of the State of Illinois, represented*
2. by the Governor, the Senate, the State Superin-
3. tendents of Schools, the State Normal
4. School, the State Normal School, and the agent of the
5. State Normal School, be and they are hereby authorized, for the
6. purpose of procuring a new text-book for the
7. common schools of the State, to employ a commission for the
8. purpose of procuring a new text-book for the
9. purpose of procuring a new text-book for the
10. purpose of procuring a new text-book for the
11. purpose of procuring a new text-book for the
12. purpose of procuring a new text-book for the

13 composition, both in poetry and prose; *Provided*, that none of said text  
 14 book shall contain anything of a partisan or sectarian character; *And pro-*  
 15 *vided, further*, that the foregoing books shall be at least equal in size and  
 16 quality as to matter, material, style of binding and mechanical execution,  
 17 to the following text books now in general use: The speller to McGuffey's  
 18 revised spelling book, the reader to McGuffey's revised readers, the arith-  
 19 metic to White's series of arithmetics, the geography to the eclectic series  
 20 of geographies, the grammar to Harvey's grammar, the physiology to Dal-  
 21 ton's physiology, the history to Barnes' brief history, and the writing books  
 22 to the Eclectic copy books.

• § 2. The said board of commissioners shall, immediately upon the taking  
 2 effect of this act, advertise for twenty-one consecutive days in two daily  
 3 papers published in this State, having the largest circulation, and in one  
 4 newspaper of general circulation in the cities of New York, Philadelphia,  
 5 Cincinnati and St. Louis, that at a time and place to be fixed by said  
 6 notice, and not later than six months after the first publication thereof, said  
 7 board will receive sealed proposals on the following:

8 First From publishers of school text books, for furnishing books to the  
 9 township treasurers and treasurers of special districts of the State of Illinois  
 10 for use in the common schools of this State, as provided in this act, for a term  
 11 of five years, stating specially in such bid the price at which each book will  
 12 be furnished, and accompany each bid with specimen copies of each and all  
 13 books proposed to be furnished in such bid.

14 Second From authors of school text books, who have manuscripts of  
 15 books not published, for prices at which they will sell their manuscript,  
 16 together with the copyright of such books for use in the public schools of  
 17 the State of Illinois.

18 Third From persons who are willing to undertake the compilation of a  
 19 book, or books, or a series of books, as provided for in section one (1) of  
 20 this act, the price at which they are willing to undertake such compilation

21 of any or all of such books, to the acceptance and satisfaction of the said  
 22 board of commissioners: *Provided*, that any and all bids by publishers, herein  
 23 provided for, must be accompanied by a bond in the penal sum of fifty  
 24 thousand dollars, with resident freehold surety, to the acceptance and  
 25 satisfaction of the Governor of this State, conditioned that if any contract  
 26 be awarded to any bidder hereunder, such bidder will enter into a con-  
 27 tract to perform the conditions of his bid to the acceptance and satisfaction  
 28 of such board: *And provided further*, that no bid shall be considered unless  
 29 the same be accompanied by the affidavit of the bidder that he is in no  
 30 wise, directly or indirectly, connected with any other publisher or firm  
 31 bidding at the same time, and that he is not a party to any contract,  
 32 syndicate or scheme whereby the benefits of competition are denied to the  
 33 People of this State; *And be it further provided*, that if any competent author  
 34 or authors shall compile any one or more books of the first order of ex-  
 35 cellence, and shall offer the same as a free gift to the People of this State,  
 36 together with the copyright of the same and the right to manufacture and  
 37 sell such works in the State of Illinois for use in the public schools, it  
 38 shall be the duty of such board of commissioners to pay no money for any  
 39 manuscript or copyright for such book or books on the subjects treated of  
 40 in the manuscript so donated; and such board shall have the right to  
 41 reject any and all such bids, and at their option such board shall have the  
 42 right to reject any bid as to a part of such books, and to accept the same as  
 43 to the residue thereof.

44 § 3. It shall be the duty of such board to meet at the time and place  
 2 mentioned in such notice, and open and examine all sealed proposals received  
 3 pursuant to the notice provided for in section two (2) of this act, and it  
 4 shall be the further duty of such board to make a full, complete and  
 5 thorough investigation of all such bids or proposals, and to ascertain under  
 6 which of said proposals or propositions the school books could be furnished  
 7 to the People of this State, for use in the common schools at the lowest

8 price, taking into consideration the size and quality, as to matter, material,  
 9 style of binding and mechanical execution of such books: *Provided always,*  
 10 that such board shall not in any case contract with any author, publisher  
 11 or publishers, for books which shall be sold to patrons for use in the public  
 12 schools of this State at prices above or in excess of the following, which  
 13 price shall include all cost and charges for the transportation and delivery  
 14 to the several county school superintendents in this State, namely:

- 15 For a spelling book, ten cents (10).
- 16 For a first reader, ten cents (10).
- 17 For a second reader, fifteen cents (15).
- 18 For a third reader, twenty five cents (25).
- 19 For a fourth reader, thirty cents (30).
- 20 For a fifth reader, forty cents (40).
- 21 For an arithmetic, intermediate, thirty five cents (35).
- 22 For an arithmetic, complete, forty five cents (45).
- 23 For a geography, elementary, thirty cents (30).
- 24 For a geography, complete, seventy five cents (75).
- 25 For an English grammar, elementary, twenty five cents (25).
- 26 For an English grammar, complete, forty cents (40).
- 27 For a physiology, thirty five cents (35).
- 28 For a history of the United States, sixty cents (60).
- 29 For copy books, each, five cents (5).

§ 4. If, upon the examination of such proposals, it shall be the opinion  
 2 of such board of commissioners that such books can be furnished cheaper  
 3 to the patrons for use in the common schools in the State by procuring and  
 4 causing to be published the manuscripts of any or all of such books, it  
 5 shall be their duty to procure such manuscript and to advertise for sealed  
 6 proposals for publishing the same, in like manner as hereinbefore provided,  
 7 and under the same conditions and restrictions. And such contract may be  
 8 let for the publication of all such books, or for any one or more of such



2 books separately; and it shall be the further duty of such board of com-  
 3 missioners to provide, in the contract for the publication of any such  
 4 manuscript, for the payment by the publishers of the compensation agreed  
 5 upon between such board and the author or owner of any such manuscript,  
 6 together with the cost or expense of copyrighting the same.

7 It shall be a part of the terms and conditions of every contract  
 8 made in pursuance of this act that the State of Illinois shall not be liable  
 9 to any contractor hereunder for any sum whatever; but that all such con-  
 10 tractors shall receive their pay and compensation solely and exclusively  
 11 from the proceeds of the sale of the books, as provided for in this act.

12 As soon as such board shall have entered into any contract for the  
 13 furnishing of books for use in the public schools of this State, pursuant to  
 14 the provisions of this act, it shall be the duty of the Governor to issue his  
 15 proclamation announcing such fact to the people of this State.

16 When such proclamation shall have been duly issued, it shall be the  
 17 duty of the treasurers of each and every school corporation in this State,  
 18 within thirty days thereafter, and at such other times as books may be  
 19 needed for use in their respective corporations, to certify to their county  
 20 superintendent of their respective counties the number of school textbooks  
 21 provided for in such contracts, required by the children for use in the  
 22 schools of their several school corporations. Such county superintendent  
 23 shall forthwith make such requisition for books as the schools in the said  
 24 several counties may require, upon the State Superintendent of Public In-  
 25 struction, and that said State Superintendent of Public Instruction shall  
 26 immediately thereafter make a requisition for said books upon the contractor,  
 27 who shall within ninety days ship the books so ordered directly to the  
 28 county school superintendents of the several counties of this State. Upon  
 29 the receipt of such books it shall be the duty of such county school super-  
 30 intendants to immediately notify treasurers of all the public school corpo-  
 31 rations of their respective counties of the receipt of such books. It shall

17 then be the duty of such treasurers to immediately procure and take charge  
 18 and custody of all the books assigned to their several school corporations,  
 19 receipting therefor to the said county school superintendent; and upon the  
 20 receipt of such books by said treasurers they shall furnish them on de-  
 21 mand to the school patrons or the school children of their respective cor-  
 22 porations at the price fixed therefor by the contract entered into between  
 23 said board of commissioners and said contractor; and it shall be the duty  
 24 of such school officers to sell such books for cash only; and if they shall  
 25 sell or dispose of any books other than for the cash price therefor, they  
 26 shall be held personally liable, and liable upon their official bond for the  
 27 price of such book or books: *Provided*, that any patron or pupil of any  
 28 school or schools other than the public schools, and also any child between  
 29 the ages of six and twenty-one years of age, or the parent, guardian or  
 30 teacher of such child shall have the right to purchase and receive the  
 31 books, and at the prices herein named, by payment of the cash price there-  
 32 of to the school superintendent of any county in this State, and it is  
 33 hereby made his duty to make requisition upon the contractor for any and  
 34 all books so ordered and paid for by any such person or persons.

Section 8. At the expiration of three months after the receipt of such  
 2 books by the county superintendent, and every three months thereafter, it  
 3 shall be the duty of such treasurer receiving and chargeable with books under  
 4 the provisions of this act to make a full and complete report to the county  
 5 superintendent of the number of books sold and the amount of money re-  
 6 ceived therefor, and the number of books on hand; and at the time of  
 7 making such report he shall pay over to the county superintendent all  
 8 moneys received by him or with which he is chargeable, from the sales of  
 9 books in his hands, which report shall be duly verified by the oath of the  
 10 party making it.

Section 9. If, at the expiration of ten days from the time required by  
 2 this act for the making of such report of any school superintendent charge-

able with books under this act, any such officer shall have failed, neglected or refused to make such report, or turn over any moneys with which he is chargeable at hand to the duty of the county school superintendent within fifteen days to enter and upon his official bond for an accounting and recovery of any money due from him on account of such books with which he is charged.

Section 10. It shall be the duty of the several county school superintendents to collect the county taxes from the issuing of the proclamation of the Governor and to do so as provided for, and of every county school superintendent to enter and upon his official bond for an accounting and recovery of any money due from him on account of such books with which he is charged, and to give such bond, his official bond shall become immediately vacant, and the board of supervisors of his county shall immediately appoint some competent and suitable person to fill such vacancy for the unexpired term of his office.

Section 11. It shall be the duty of each county school superintendent in this State within ten days after the quarterly reports of the treasurers as hereinbefore provided for to make a full, true and complete and detailed report to the comptroller of all books sold by the several treasurers of his county, and of the number of books in the hands of the treasurers of each school corporation, which report shall be accompanied by all cash received by him from the school officers from sales of books by them sold, and

8 which report shall be duly verified by him, and a duplicate thereof shall  
9 be filed in the office of the county clerk of his county. Upon the failure  
10 of any county school superintendent to make the report and to transmit  
11 the cash, as required by this section a right of action shall immediately  
12 accrue to the contractor, against the said school superintendent and the  
13 sureties upon the bond, provided for in this act, for an accounting and the  
14 recovery of any moneys received and not transmitted by him and for any  
15 damages which may have resulted from his neglect or failure to comply  
16 with provisions of this act.

§ 12. Any treasurer charged with the sale of any books, under the pro-  
2 visions of this act, who shall directly or indirectly demand or receive any  
3 money for any books in excess of the contract price, as hereinbefore pro-  
4 vided for, shall be deemed guilty of a misdemeanor, and upon conviction  
5 thereof shall be fined in any sum not less than ten nor more than one  
6 hundred dollars, to which may be added imprisonment in the county jail  
7 for a term not exceeding sixty days.

§ 13. Any county school superintendent or treasurer of any township or  
2 special district in this State who shall fraudulently fail or refuse at the  
3 at the expiration of the term for which he was elected or appointed, or at  
4 any time during such term, when legally required by the proper power or  
5 authority, to account for and deliver and pay over to such person or persons  
6 as may be lawfully entitled to receive the same, all moneys or school books  
7 which may have come into his hands by virtue of the provisions of this  
8 act, shall be deemed guilty of embezzlement, and upon conviction thereof  
9 shall be imprisoned in the State prison for any period not more than five  
10 years nor less than one year, and fined in any sum not exceeding one  
11 thousand dollars, and rendered incapable of holding any office of trust or  
12 profit for any determinate period.

§ 14. The sum of one thousand dollars is hereby appropriated out of any  
2 funds in the State treasury not otherwise appropriated for the purpose of pay-

and the cost and expenses incident to the giving of the notices herein provided for, and carrying out the provisions of this act. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

15. Whereas an emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.



1. Introduced by Mr. Berry January 15, 1891, and ordered to first reading.
2. First reading January 15, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back April 15, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making an appropriation in aid of the Illinois Horticultural Society.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and hereby is appropriated for the use of the Illinois State Horticulture Society the sum of four thousand dollars (\$4,000) per annum: *Provided, however,* that at least one thousand dollars of said sum be expended by said board in experimenting in the growth, care and development of the horticultural interests for the years 1891 and 1892, to be expended by said society for the purpose and in the manner specified in an act to reorganize the Illinois State Horticultural Society, approved March 24, 1874.





**37th Assem.**

**HOUSE.**

**May 1891**

**AMENDMENT TO SENATE BILL No. 50—IN THE HOUSE.**

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Adopted by the House of Representatives May 21, 1891, ordered printed and engrossed May 21, 1891.

1 Amend printed Senate Bill No. 50, by inserting after the word "however" in line 4 of section 1, the following: "That no portion thereof shall be paid for, or on account of any salary or emoluments of any officer of said society, except the secretary, who may receive not to exceed four hundred dollars per annum and".



Report of the Committee on Municipal Corporations, and ordered to first reading.  
February 19, 1891. The bill was reported to the Committee on Municipal Corporations.  
March 1, 1891. The bill was read and passed. March 10, 1891, passage recommended and order of the Senate reading.

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## A BILL

For an act to authorize the corporate authorities of towns to issue bonds for the creation and improvement of public parks and boulevards, and to provide a tax for the payment of the same.

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### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That in any town which is now included within  
3 the State of Illinois, and in any town which is now included within  
4 the State of Illinois, in which a board of park commissioners shall  
5 be established, the corporate authority, by law to acquire, hold, improve and maintain  
6 public parks, boulevards, and other public grounds in trust for the inhabitants of such town, and  
7 for the common use and pleasure of such city, and for such parties or persons as may  
8 be interested in the rights of such inhabitants, and for the public as a public  
9 promenade and pleasure ground and ways, but not for any other use or  
10 purpose, without the consent of a majority, by frontage of the owners of the  
11 property fronting the same, and without the power to sell, alienate, mort-  
12 gage, or otherwise encumber the same, the corporate authorities of such town (meaning  
13 the town's surveyor, clerk and assessor thereof) shall have authority, and  
14 such corporate authorities of any such town are hereby empowered, upon  
15 the written request of that effect of any board of park commissioners or the  
16 majority thereof, which shall now exist within any such town, to issue

17 aggregate the principal sum of one million dollars; and such bonds, when  
 18 so issued by such corporate authorities, shall be delivered to such board of  
 19 park commissioners to be by them sold in the manner hereinafter provided,  
 20 and the proceeds thereof used for the improvement of any land now held,  
 21 controlled and maintained by any such board of park commissioners, for  
 22 park and boulevard purposes: *Provided*, that the total indebtedness of such  
 23 town, including the sum of one million dollars hereby authorized to be  
 24 issued, shall not exceed five per centum of the value of the taxable property  
 25 of such town, as ascertained by the last assessment for State and county  
 26 taxes previous to issue of any such bonds. And such corporate authorities  
 27 of any such town shall, in addition to the amount of any tax now authorized  
 28 by law to be levied and collected for park and boulevard purposes in any  
 29 such town, levy and collect annually a tax not to exceed two and one-half  
 30 mills on the dollar upon the taxable property in any such town, according  
 31 to the valuation of the same as made for the purposes of State and county  
 32 taxation; such tax to be used and expended by such board of park com-  
 33 missioners in governing, maintaining and improving such parks and boule-  
 34 vards or pleasure-ways, and in paying the interest and principal of such  
 35 bonds and other necessary and incidental expenses incurred in and about  
 36 the management of any such parks and boulevards. Neither the bonds  
 37 hereby authorized to be issued for the purpose aforesaid, nor the proceeds  
 38 thereof, shall be used by such board of park commissioners for any other  
 39 purpose than the improvement of the lands now held controlled and main-  
 40 tained by such board of park commissioners.

§ 2. Such bonds shall be issued by the corporate authorities of such  
 2 town as aforesaid, in the name of said town, upon the request in writing  
 3 of any such board of park commissioners or a majority of the members  
 4 thereof. Said bonds shall be signed by the said corporate authorities in  
 5 the name of said town, and when so signed shall be delivered by such cor-  
 6 porate authorities to such board of park commissioners, who shall, before

disposing of the same, and upon each one of such bonds a certificate to  
 the effect that such bond has been issued by the corporate authorities of  
 such town, upon the recommendation of such board of park commissioners for  
 the town, or such board of the corporate authorities of such town. And  
 such certificate is to be endorsed upon each one of such bonds, shall be  
 evidence that due provision for the issue of such bonds has been made by  
 such town, and that such bonds have been issued by the corporate authorities of such  
 town as aforesaid. Such certificate is to be endorsed upon said bonds shall  
 be signed by the treasurer, auditor and secretary of such board  
 of park commissioners. Such bonds may be of the denomination of  
 two hundred dollars and any multiple thereof. They shall bear interest  
 at a rate not exceeding five per centum per annum, to be paid semi-  
 annually and to be evidenced by coupons thereto attached, and the principal  
 shall be payable at such place and at such time, not exceeding twenty  
 years from the date of the issue of such bonds, as such board of park com-  
 missioners may determine. Such bonds shall be numbered in regular series  
 and shall be registered in the records of such board of park commis-  
 sioners, which registry shall show the number of the bonds, the amount of  
 each bond, when the same is payable, to whom the same shall be payable,  
 and the amount of interest payable thereon. *Provided, however,* that such bonds  
 may be made payable to bearer, or to the order of such person or persons  
 as may be named therein, and when any of such bonds shall be made pay-  
 able to bearer they shall pass by delivery, and provision shall be made by  
 such board of park commissioners for the second registry of such bonds  
 in the office of such board of park commissioners, at the option of the  
 holder and in his name, and after a second registry of any of such bonds  
 they, together with all bonds made payable to any particular person or persons,  
 shall pass only by endorsement and delivery. None of such bonds shall be  
 sold by such board of park commissioners for less than the par value  
 thereof and the accrued interest thereon at the date of sale. And such

board of park commissioners are hereby empowered to require of the treasurer of any such board a bond, with security to be approved by the circuit court of the county in which such parks and boulevards or pleasure ways may be located, sufficient in amount and penalty to protect and save harmless any such board of park commissioners from loss of any money or sums of money which may or shall, from time to time, come into the hands of the treasurer of any such board of park commissioners from the sale of any of the bonds issued and sold under and by virtue of the provisions of this act. Any person who shall knowingly violate or aid and abet in the violation of any of the provisions of this act, shall be deemed guilty of embezzlement, and shall be liable to indictment, trial and punishment as in other cases of embezzlement.

§ 3. For the purpose of providing for the payment of the interest on such bonds as it falls due, and also to pay and discharge the principal thereof, as the same shall mature any such board of park commissioners are hereby required each year to appropriate from any annual park tax, not heretofore specifically appropriated by law, which may now or hereafter be authorized and directed to be levied upon the taxable property in any such town, whether the same be known as "boulevard and park tax" or otherwise, a sum sufficient to meet the interest upon such bonds as it may accrue, and to provide a sinking fund for the purpose of paying the principal of such bonds, as they shall mature or become due, according to the provisions of this act.

§ 4. Any and all bonds which shall be issued in accordance with the provisions of this act shall contain the condition that, upon the expiration of five years after the date of such bonds, and upon the expiration of each successive year thereafter, such board of park commissioners shall, at an open meeting of the board of such park commissioners, select by lot so many and such an amount of such bonds as may be required to absorb the sinking fund hereinbefore provided; and the principal of the bonds so selected

8 shall become due and payable at the date of the next installment of inter-  
 9 est maturing on the several bonds, so selected from time to time, and shall  
 10 cease to bear interest after they severally become due and payable by  
 11 reason of such selection. Such board of park commissioners, immediately  
 12 after making such selection, shall make and sign in duplicate a statement  
 13 of the result thereof, and shall file one copy thereof in the office of the  
 14 town clerk of such town, and the other copy shall be filed in the office of  
 15 the county clerk of the county in which any such town shall be located;  
 16 and it is hereby made the duty of such board of park commissioners to pay  
 17 and discharge the principal of the bonds selected, at the date of the next  
 18 installment of interest maturing on the bonds so selected, from the sinking  
 19 fund hereinbefore provided for that purpose.

§ 5. Any such board of park commissioners is hereby empowered, after  
 2 the expiration of one year and at any time before five years from the date  
 3 of any bonds authorized to be issued according to the provisions of this  
 4 act, to purchase a sufficient number and amount of such bonds then out-  
 5 standing as will absorb the annual sinking fund required by the provisions  
 6 of this act: *Provided*, that such board of park commissioners shall not be  
 7 authorized to pay for the bonds authorized by this section to be purchased,  
 8 more than the fair market value thereof at the date of such purchase.

§ 6. Whereas, there is a necessity for the immediate construction of the  
 2 improvements contemplated in this act, therefore an emergency exists, and  
 3 this act shall take effect and be in force from and after its passage

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## AMENDMENT TO S. B. NO. 52 RECOMMENDED BY COMMITTEE ON MUNICIPALITIES:

Amend section 1 by inserting after the word "State" in line four (4) the  
 2 following: "Where the boundaries and limits of any such town are coex-  
 3 tensive with the boundaries and limits of any park district."





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1. Introduced by Mr. Mahoney January 16, 1891, and ordered to first reading.
  2. First reading January 16, 1891, and referred to Committee on Municipalities.
  3. Reported back with amendments March 10, 1891, passage recommended and ordered to second reading.
  4. Second reading March 26, 1891, amended and ordered to third reading.
- 

## A BILL

For an act to authorize the corporate authorities of towns to issue bonds for the completion and improvement of public parks and boulevards, and to provide a tax for the payment of the same.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in any town which is now included within  
3 the limits of any city in this State where the boundaries and limits of  
4 any such town are coextensive with the boundaries and limits of any park  
5 district, in which a board of park commissioners shall now exist, having  
6 authority by law to acquire, hold, improve and maintain land and the  
7 appurtenances in trust for the inhabitants of such town, and of a division  
8 or part of such city, and for such parties or persons as may succeed to the  
9 rights of such inhabitants, and for the public as a public promenade and  
10 pleasure ground and ways, but not for any other use or purpose without  
11 the consent of a majority, by frontage of the owners of the property front-  
12 ing the same, and without the power to sell, alienate, mortgage or en-  
13 cumber the same, the corporate authorities of such town (meaning the  
14 town supervisor, clerk and assessor thereof), shall have authority, and such  
15 corporate authorities of any such town are hereby empowered, upon the

16 written request to that effect of any board of park commissioners or the  
17 successors thereof, which shall now exist within any such town, to issue  
18 bonds in the name of such town to an amount not exceeding in the aggregate  
19 the principal sum of one million dollars, and such bonds, when so  
20 issued by such corporate authorities, shall be delivered to such board of  
21 park commissioners, to be by them sold in the manner hereinafter provided,  
22 and the proceeds thereof used for the improvement of any land now held,  
23 controlled and maintained by any such board of park commissioners, for  
24 park and boulevard purposes: *Provided*, that the total indebtedness of such  
25 town, including the said sum of one million dollars hereby authorized to be  
26 issued, shall not exceed five per centum of the value of the taxable property  
27 of such town, as ascertained by the last assessment for State and county  
28 taxes previous to issue of any such bonds. And such corporate authorities  
29 of any such town shall, in addition to the amount of any tax now authorized  
30 by law to be levied and collected for park and boulevard purposes in any  
31 such town, levy and collect annually a tax not to exceed one and one-half  
32 mills on the dollar upon the taxable property in any such town, according  
33 to the valuation of the same as made for the purposes of State and county  
34 taxation; such tax to be used and expended by such board of park commissioners  
35 in governing, maintaining and improving such parks and boulevards or pleasure  
36 ways, and in paying the interest and principal of such bonds and other necessary  
37 and incidental expenses incurred in and about the management of any such  
38 parks and boulevards. Neither the bonds hereby authorized to be issued for the  
39 purpose aforesaid, nor the proceeds thereof, shall be used by such board of  
40 park commissioners for any other purpose than the improvement of the lands  
41 now held, controlled and maintained by such board of park commissioners.

§ 2. Such bonds shall be issued by the corporate authorities of such  
town as aforesaid, in the name of said town, upon the request in writing  
of any such board of park commissioners or a majority of the members

4 thereof. Said bonds shall be signed by the said corporate authorities in  
5 the name of said town, and when so signed shall be delivered by such cor-  
6 porate authorities to such board of park commissioners, who shall, before  
7 disposing of the same, endorse upon each one of such bonds a certificate to  
8 the effect that such bonds have been issued by the corporate authorities of  
9 such town, upon the requisition of such board of park commissioners for  
10 the issue of such bonds by the corporate authorities of such town. And  
11 such certificate, so to be endorsed upon each one of such bonds, shall be  
12 evidence that due requisition for the issue of such bonds has been made by  
13 such board of park commissioners upon the corporate authorities of such  
14 town as aforesaid. Such certificate so to be endorsed upon said bonds shall  
15 be signed by the president, treasurer, auditor and secretary of such board  
16 of park commissioners. The said bonds may be of the denomination of  
17 twenty-five dollars, and of any multiple thereof. They shall bear interest  
18 at a rate not exceeding five per centum per annum, to be paid semi-  
19 annually, and to be evidenced by coupons thereto attached, and the princi-  
20 pal shall be payable at such place and at such time, not exceeding twenty  
21 years from the date of the issue of such bonds, as such board of park com-  
22 missioners may determine. Such bonds shall be numbered in regular series  
23 and shall be registered upon the records of such board of park commis-  
24 sioners, which registry shall show the number of the bonds, the amount of  
25 each bond, when the same is payable, to whom the same shall be payable,  
26 and the rate of interest payable thereon: *Provided, however,* that such bonds  
27 may be made payable to bearer, or to the order of such person or persons  
28 as may be named therein, and when any of such bonds shall be made pay-  
29 able to bearer they shall pass by delivery, and provision shall be made by  
30 such board of park commissioners for the second registry of such bonds  
31 in the office of such board of park commissioners, at the option of the  
32 holder and in his name; and after a second registry of any of such bonds  
33 they, together with any bonds made payable to any particular person or per-

sons, shall pass only by endorsement and delivery. None of such bonds shall be sold by such board of park commissioners for less than the par value thereof and the accrued interest thereon at the date of sale. And such board of park commissioners are hereby empowered to require of the treasurer of any such board a bond, with security to be approved by the circuit court of the county in which such parks and boulevards or pleasure ways may be located, sufficient in amount and penalty to protect and save harmless any such board of park commissioners from loss of any money or sums of money which may or shall, from time to time, come into the hands of the treasurer of any such board of park commissioners from the sale of any of the bonds issued and sold under and by virtue of the provisions of this act. Any person who shall knowingly violate or aid and abet in the violation of any of the provisions of this act, shall be deemed guilty of embezzlement, and shall be liable to indictment, trial and punishment as in other cases of embezzlement.

§ 3. For the purpose of providing for the payment of the interest on such bonds as it falls due, and also to pay and discharge the principal thereof, as the same shall mature, any such board of park commissioners are hereby required each year to appropriate from any annual park tax, not heretofore specifically appropriated by law, which may now or hereafter be authorized and directed to be levied upon the taxable property in any such town, whether the same be known as "boulevard and park tax" or otherwise, a sum sufficient to meet the interest upon such bonds as it may accrue, and to provide a sinking fund for the purpose of paying the principal of such bonds, as they shall mature or become due, according to the provisions of this act.

§ 4. Any and all bonds which shall be issued in accordance with the provisions of this act shall contain the condition that, upon the expiration of five years after the date of such bonds and upon the expiration of each successive year thereafter, such board of park commissioners shall, at an

5 open meeting of the board of such park commissioners, select by lot so many  
6 and such an amount of such bonds as may be required to absorb the sink-  
7 ing fund hereinbefore provided; and the principal of the bonds so selected  
8 shall become due and payable at the date of the next installment of inter-  
9 est maturing on the several bonds, so selected from time to time, and shall  
10 cease to bear interest after they severally become due and payable by  
11 reason of such selection. Such board of park commissioners, immediately  
12 after making such selection, shall make and sign in duplicate a statement  
13 of the result thereof, and shall file one copy thereof in the office of the  
14 town clerk of such town, and the other copy shall be filed in the office of  
15 the county clerk of the county in which any such town shall be located;  
16 and it is hereby made the duty of such board of park commissioners to pay  
17 and discharge the principal of the bonds selected, at the date of the next  
18 installment of interest maturing on the bonds so selected, from the sinking  
19 fund hereinbefore provided for that purpose.

5. Any such board of park commissioners is hereby empowered, after  
2 the expiration of one year and at any time before five years from the date  
3 of any bonds authorized to be issued according to the provisions of this  
4 act, to purchase a sufficient number and amount of such bonds then out-  
5 standing as will absorb the annual sinking fund required by the provisions  
6 of this act: *Provided*, that such board of park commissioners shall not be  
7 authorized to pay for the bonds authorized by this section to be purchased  
8 more than the fair market value thereof at the date of such purchase.

6. Whereas, there is a necessity for the immediate construction of the  
2 improvements contemplated in this act, therefore an emergency exists, and  
3 this act shall take effect and be in force from and after its passage.



## AMENDMENTS TO SENATE BILL NO. 52--IN THE HOUSE.

Adopted by the House of Representatives May 8, 1891, ordered printed and engrossed May 8, 1891.

1. Amend by adding after line 42, section 1, the following:

"Nor shall any portion of the money derived from the sale of said bonds be used or expended by such board of park commissioners in the improvement, maintenance, control or repair of any boulevard or pleasureway which has been or may hereafter be made into boulevards or pleasureways from pre-existing streets, but all of the proceeds of the sale of such bonds shall be used and expended exclusively in the improvement of the lands acquired and maintained by any such board of park commissioners by means and from sources other than the transfer of any street or streets by the common council of any municipal corporation, to the management and control of such board of park commissioners."





- 1 Introduced by Mr. Shumway January 16, 1891, and ordered to first reading.
- 2 First reading January 16, 1891, and referred to Committee on Judiciary.
- 3 Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections five (5) and six (6) of chapter seventy-nine (79) of an act entitled "An act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named," approved April 1, 1872, in force July 1, 1872.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections five (5) and six (6) of said act shall be so amended as to read as follows:

SECTION 5. Every justice of the peace, before entering upon the duties of his office, shall execute and deliver to the county clerk of the proper county, and within twenty days after his said election, a bond, with two or more good and sufficient securities, in the sum of not less than \$2,000 nor more than \$10,000, conditioned that he will justly and fairly account for and pay over all moneys that may come to his hands under any judgment or otherwise, by virtue of his said office, and that he will well and truly perform every act and duty enjoined upon him by the laws of this State, to the

9 best of his skill and ability, which bond shall be approved by the clerk of  
10 said court, and recorded in his office in a book kept for that purpose. Such  
11 bond shall be made payable to the People of the State of Illinois, and shall  
12 be held for the security and benefit of all suitors and others who may be  
13 injured or aggrieved by the official acts or misconduct of such justice of the  
14 peace.

Section 6. Every constable, before he shall enter upon the duties of his  
2 office, shall execute and deliver to the county clerk of the proper  
3 county, within twenty days after his election, a bond, with two  
4 or more good and sufficient securities, in the sum of not less than  
5 \$1,000 and not exceeding \$10,000, conditioned that he will faithfully discharge  
6 the duties of his office of constable, and that he will justly and fairly  
7 account for and pay over all money that may come to his hands under any  
8 process or otherwise, by virtue of his office, which bond shall be approved  
9 by the clerk of said court, and recorded in his office in a book kept for  
10 that purpose. The said bond shall be made payable to the People of the  
11 State of Illinois, and shall be held for the security and benefit of all suitors  
12 and other persons who may be interested in or become injured by the  
13 official conduct of such constable.

1. Introduced by Mr. Newell, January 16, 1891, and ordered to first reading.
2. First reading January 16, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back with amendments February 25, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the payment of bounties for killing English sparrows.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That every person, being an inhabitant of this  
3 State, who shall kill an English sparrow in any organized township, village  
4 or city in this State shall be entitled to receive a bounty of three cents for  
5 each sparrow thus killed, to be allowed and paid in the manner hereinafter  
6 provided.

7 § 2. Every person applying for such bounty shall take such sparrow, or  
2 the head thereof, in lots of not less than ten, to the clerk of the township,  
3 village or city within which such sparrow shall have been killed, who shall  
4 thereupon decide upon such application, and if satisfied of the correctness  
5 of such claim, shall issue a certificate stating the amount of bounty to  
6 which such applicant is entitled and deliver the same to said applicant,  
7 and shall destroy the heads of such sparrows.

§ 3. Such certificate may be presented by the claimant or his agent to  
2 the county clerk of the county in which such sparrow or sparrows have  
3 been killed, who shall thereupon draw a warrant for the amount on the  
4 treasurer of said county and said treasurer shall, upon presentation of said  
5 warrant, pay the same from the general or contingent fund of said county.

**AMENDMENTS PROPOSED TO SENATE BILL No. 53, BY COMMITTEE  
ON AGRICULTURE, HORTICULTURE AND FARM DRAINAGE.**

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Amend by inserting after the word "State" in the sixth line of section  
2 one, the following: "During the months of December January and Febru-  
3 ary."

Amend by striking out the work "three" in line six of section one, and  
2 adding in lieu thereof the word "two."

Amend also by adding the following sections:

Section 4. If any person, in applying to the clerk of any township, vil-  
2 lage or city for the certificate stating the amount of bounty to which he  
3 may be entitled under this act, shall have in his possession or present to  
4 such clerk the head or heads of any bird or birds other than the English  
5 sparrow, such person shall be deemed guilty of a misdemeanor, and upon  
6 conviction thereof shall be fined five dollars for each head of such bird  
7 other than the English sparrow so being in his possession or presented to the  
8 clerk. And it shall be the duty of the clerk to whom such application is  
9 made, upon finding the head of any bird, other than the English sparrow,  
10 among the heads presented to him, to confiscate the heads so presented and  
11 preserve them to be used as evidence against the person applying for the  
12 bounty, and refuse to issue the certificate.

Section 5. It is hereby made the duty of the director of the State labra-  
2 tory of natural history, to prepare, as soon after this act shall take effect  
3 as practicable, a bulletin of information for the use of the clerks of  
4 townships, villages and cities in this State, to enable them to distinguish  
5 the heads of the English sparrow from those of other birds, and which said  
6 bulletins shall be delivered to said clerks free of charge.

Section 6. If any clerk of any township, village or city shall knowingly  
2 issue any certificate for the payment of the bounty, provided for in this act,  
3 for the killing of any bird, other than the English sparrow, such clerk  
4 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall  
5 be fined not less than ten dollars.



1. Introduced by Mr. Newell January 16, 1891, and ordered to first reading.
2. First reading January 16, 1891, and referred to Committee on Agriculture, Horticulture and Forestry.
3. Reported back February 15, 1891, measure recommended and ordered to second reading.
4. Second reading March 4, amended and ordered to third reading.

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## A BILL

For an act to provide for the payment of bounties for killing English sparrows.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That every person being an inhabitant of this  
3 State who shall kill an English sparrow in any county not under township  
4 organization or in any organized township, village or city in this State  
5 during the months of December, January and February, shall be entitled  
6 to receive a bounty of two cents for each sparrow thus killed, to be  
7 allowed and paid in the manner hereinafter provided.

8 Every person applying for such bounty shall take such sparrow, or  
9 the head thereof in lot of not less than ten to the county clerk in  
10 counties not under township organization or to the clerk of the township,  
11 village or city within which such sparrow shall have been killed, who shall  
12 thereupon decide upon such application, and if satisfied of the correctness  
13 of such claim, shall issue a certificate stating the amount of bounty to  
14 which such applicant is entitled and deliver the same to said applicant,  
15 and shall destroy the heads of such sparrows.

16 Such certificate may be presented by the claimant or his agent to  
17 the county clerk of the county in which such sparrow or sparrows have

3 been killed, who shall thereupon draw a warrant for the amount on the  
4 treasurer of said county, and said treasurer shall, upon presentation of said  
5 warrant, pay the same from the general or contingent fund of said county.

§ 4. If any person, in applying to the clerk of counties not under  
2 township organization or to the clerk of any township, village or city for  
3 the certificate stating the amount of bounty to which he may be entitled  
4 under this act, shall have in his possession or present to such clerk the  
5 head or heads of any bird or birds other than the English sparrow, such  
6 person shall be deemed guilty of a misdemeanor, and upon conviction thereof  
7 shall be fined five dollars for each head of such bird other than the English  
8 sparrow so being in his possession or presented to the clerk. And it shall  
9 be the duty of the clerk to whom such application is made upon finding  
10 the head of any bird, other than the English sparrow, among the heads  
11 presented to him, to confiscate the heads so presented and preserve them to  
12 be used as evidence against the person applying for the bounty, and refuse  
13 to issue the certificate.

§ 5. It is hereby made the duty of the director of the State laboratory of natural history, to prepare, as soon after this act shall take effect  
2 as practicable, a bulletin of information for the use of the clerks of county,  
3 townships, villages and cities in this State, to enable them to distinguish  
4 the heads of the English sparrow from those of other birds, and which said  
5 bulletins shall be delivered to said clerks free of charge.

§ 6. If any clerk of any county not under township organization,  
2 clerk of any township, village or city shall knowingly issue any certificate  
3 for the payment of the bounty provided for in this act for the killing of  
4 any bird other than the English sparrow, such clerk shall be deemed guilty  
5 of a misdemeanor, and upon conviction thereof shall be fined not less than  
6 ten dollars.



1. Introduced by Mr. Hunt, January 25, 1891, and ordered to first reading.
2. First reading January 26, 1891, and referred to Committee on Mines and Mining.
3. Reported back March 3, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act concerning the payment of employes in certain cases, and providing for the enforcement of the same.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every corporation and every individual or firm engaged in manufacturing, mining or quarrying, shall pay to each and every one of their employes in lawful money or by check, draft or order payable in lawful money at sight or on demand on a bank located at a distance not greater than ten miles from the place where the said labor was performed, all such wages that have accrued, and at least every two weeks, and at regular intervals. *Provided,* that if at any time of payment, any employe shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter during their regular business hours upon demand. When such wages are not paid as provided, and are withheld for seven days after the expiration of the regular period at which payment should be made, and suit shall be brought for the recovery thereof, there shall be added to the amount of wages found due, and included in any judgment rendered in favor of the employe,

16 twenty per cent of the amount of wages found due. Whenever the affairs  
17 of any person, firm or corporation shall be placed in the hands of a receiver  
18 by any court in this State, such court shall order that the class of employes  
19 herein named shall have first claim upon the assets of such person, firm or  
20 corporation, and shall direct the payment of their wages in accordance with  
21 the provisions of this act.

§ 2. On the trial of any suit brought by any employe for the recovery of  
2 compensation under the provisions of the foregoing section, the defendant  
3 may be allowed to set up as a defense the attachment of such wages by  
4 process of garnishment, or that no money is due to such employe.

5 The defendant may also show that the plaintiff was absent at the time  
6 of payment; or that a tender of the full amount due before the commence-  
7 ment of suit was made, and upon establishing either of said facts no  
8 penalty or costs shall be adjudged against the defendant. No assignment  
9 of the wages payable at regular periods under the provisions of this act  
10 shall be valid if made to the person, firm or corporation from whom such  
11 wages are to become due, or to any person on behalf of such  
12 person, firm or corporation, or if made or procured to be made  
13 to any person for the purpose of relieving such person, firm or  
14 corporation from the obligation to pay every two weeks under the provisions  
15 of this act. At the time of the regular payments mentioned in section one (1)  
16 the persons, firms or corporations mentioned therein shall pay to the  
17 employes the sum of all wages earned by them during the period for which  
18 payment is made, in the lawful money of the United States, or by check,  
19 draft or order, payable in currency on demand, and without discount, on  
20 some bank within ten miles of the place where said wages are earned, and  
21 no wages shall be withheld from any employe because of any agreement,  
22 expressed or implied, requiring notice before leaving employment or on

23 account of any so-called fines arbitrarily imposed on employes by the  
24 employers or their agents. This shall not be held to prevent railroad  
25 companies or other persons, firms or corporations employing large numbers  
26 of men and who have heretofore or may hereafter establish hospitals for  
27 the accommodation of sick or disabled employes, from retaining such per  
28 cent of wages for the support of such hospitals as may be agreed upon  
29 between such persons, firms or corporations and their employes.

§ 3. In case any corporation or employer shall demand any deposit of  
2 money or its equivalent in property to be made by any employe as a  
3 guaranty of good conduct, continued service, or compliance with specific or  
4 published rules, or as a surety against breach of trust or loss or damage of  
5 property, the same to be forfeited in case of any loss accruing on account  
6 of an improper discharge of or a failure to discharge the duties assumed  
7 by said employe, such employer shall pay such employe interest on the sum  
8 or value of the deposit made, at the rate of six (6) per cent per annum,  
9 payable semi-annually. If any person, firm or corporation shall, with the  
10 purpose and intent of evading any of the provisions of this act, compel or  
11 coerce an employe, directly or indirectly, or by any form of indirection, to  
12 sign any form of contract by which the provisions of this act shall be  
13 neutralized or evaded, said contract, so far as it attempts to evade this act,  
14 shall be void.

§ 4. The State's Attorney of any county, or any employe mentioned in  
2 section one (1) of this act may bring complaint in the name of the People  
3 of the State of Illinois, for the use of the person aggrieved, against any  
4 person, firm or corporation neglecting to comply with the provisions of this  
5 act for two weeks after having been notified in writing by such State's  
6 Attorney or employe that such complaint will be brought. And any person,  
7 firm, or corporation violating any of the provisions of this act, upon  
8 conviction shall be punished by a fine not exceeding three hundred

9 dollars (\$300), and not less than twenty-five dollars (\$25), on each com  
10 plaint on which conviction is secured. All fines collected for violations  
11 of this law shall be paid into the treasury of the county in which con  
12 viction is had. All complaints of such violations shall be made within  
13 thirty days from the date when such violation of the law is alleged to have  
14 taken place.

1. Introduced by Mr. Hunt, January 20, 1891, and ordered to first reading.
2. First reading January 20, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act concerning the payment of employes in certain cases, and providing for the enforcement of the same.

---

**Section 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That every corporation and every individual or  
3 firm engaged in manufacturing, mining or quarrying, shall pay to each and  
4 every one of their employes in lawful money or by check, draft or order  
5 payable in lawful money at sight or on demand, on a bank located at a  
6 distance not greater than ten miles from the place where the said labor  
7 was performed, all such wages that have accrued, in full, at least every two  
8 weeks, and at regular intervals: *Provided, however,* that if at any time of  
9 payment, any employe shall be absent from his regular place of labor, he  
10 shall be entitled to said payment at any time thereafter during their  
11 regular business hours upon demand. When such wages are not paid as  
12 provided, and are withheld for seven days after the expiration of the  
13 regular period at which payment should be made, and suit shall be brought  
14 for the recovery thereof, there shall be added to the amount of wages found

15 due, and included in any judgment rendered in favor of the employe,  
16 twenty per cent. of the amount of wages found due. Whenever the affairs  
17 of any person, firm or corporation shall be placed in the hands of a receiver  
18 by any court in this State, such court shall order that the class of employes  
19 herein named shall have first claim upon the assets of such person, firm or  
20 corporation, and shall direct the payment of their wages in accordance with  
21 the provisions of this act.

§ 2. On the trial of any suit brought by any employe for the recovery of  
2 compensation under the provisions of the foregoing section, the defendant  
3 may be allowed to set up as a defense the attachment of such wages by  
4 process of garnishment, or that no money is due to such employe.

5 The defendant may also show that the plaintiff was absent at the time  
6 of payment, or that a tender of the full amount due before the commence-  
7 ment of suit was made, and upon establishing either of said facts no  
8 penalty or costs shall be adjudged against the defendant. No assignment  
9 of the wages payable at regular periods under the provisions of this act  
10 shall be valid if made to the person, firm or corporation from whom such  
11 wages are to become due, or to any person on behalf of such  
12 person, firm or corporation, or if made or procured to be made to any  
13 person for the purpose of relieving such person, firm or corporation from  
14 the obligation to pay every two weeks under the provisions of this act. At  
15 the time of the regular payments mentioned in section one (1) the persons,  
16 firms or corporations mentioned therein shall pay to the employes the sum  
17 of all wages earned by them during the period for which payment is made,  
18 in the lawful money of the United States, or by check, draft or order,  
19 payable in currency on demand, and without discount, on some bank within  
20 ten miles of the place where said wages are earned, and no wages shall be  
21 withheld from any employe because of any agreement, expressed or implied,  
22 requiring notice before leaving employment or on account of any so-called

23 fines arbitrarily imposed on employees by the employers or their agents.  
24 This shall not be held to prevent railroad companies or other persons,  
25 firms or corporations employing large numbers of men and who have here-  
26 fore or may hereafter establish hospitals for the accommodation of sick or  
27 disabled employees, from retaining such per cent of wages for the support of  
28 such hospitals as may be agreed upon between such persons, firms or  
29 corporations and their employees.

§ 3. In case any corporation or employer shall demand any deposit of  
2 money or its equivalent in property to be made by any employe as a  
3 guarantee of good conduct, continued service, or compliance with specific  
4 or published rules, or as a surety against breach of trust or loss or damage  
5 of property, the same to be forfeited in case of any loss accruing on account  
6 of an improper discharge of or a failure to discharge the duties assumed  
7 by said employe, such employer shall pay such employe interest on the sum  
8 or value of the deposit made, at the rate of six (6) per cent per annum,  
9 payable semi-annually. If any person, firm or corporation shall, with the  
10 purpose and intent of evading any of the provisions of this act, compel or  
11 coerce an employe, directly or indirectly, or by any form of indirection, to  
12 sign any form of contract by which the provisions of this act shall be  
13 neutralized or evaded, said contract, so far as it attempts to evade this act,  
14 shall be void.

§ 4. The State's attorney of any county, or any employe mentioned in  
2 section one (1) of this act may bring complaint in the name of the People  
3 of the State of Illinois, for the use of the person aggrieved, against any  
4 person, firm or corporation neglecting to comply with the provisions of this  
5 act for two weeks after having been notified in writing by such State's  
6 attorney or employe that such complaint will be brought. And any person,  
7 firm or corporation violating any of the provisions of this act, upon  
8 conviction shall be punished by a fine not exceeding three hundred

9 dollars (\$300), and not less than twenty-five dollars (\$25), on each complaint  
10 on which conviction is secured. All fines collected for violations of this  
11 law shall be paid into the treasury of the county in which conviction  
12 is had. All complaints of such violations shall be made within thirty  
13 days from the date when such violation of the law is alleged to have taken  
14 place.



1. Introduced by Mr. Hunt January 20, 1891, and ordered to first reading.
2. First reading January 20, 1891, and referred to Committee on Mines and Mining.
3. Reported back March 4, 1891, and ordered to be printed for use of committee.

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## A BILL

For an act to provide for the examination of mine managers and to regulate their employment.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That in order to secure greater efficiency in the management of coal mines and a higher standard of qualifications in those who have immediate responsibility for the health and safety of persons employed in coal mines, it shall be unlawful, except as hereinafter provided, after the first day of January, 1892, for any person to assume, or attempt to discharge the duties of mine manager at any coal mine equipped for shipping coal by rail or water, or any mine whose output may be more than twenty-five or more tons per day, unless he shall hold such a certificate as to his qualifications for that position as may be required by this act: *Provided*, that the term mine manager is here intended to mean any person who is charged with the general direction of the underground work, or both the underground and top work of any coal mine, and who is commonly known and designated as mine boss or foreman or pit boss.

2. The certificates provided for in the first section of this act may be either certificates of competency or certificates of service, and any person may acquire such certificate by appearing before a duly organized or

4 authorized board of examiners and submitting to such examination as to  
5 his competency or length of service as may be prescribed by this act and  
6 the said examiners.

§ 3. For the purpose of determining the fitness of persons for the duties  
2 of mine manager, a board of examiners shall be created in each of the  
3 mine inspection districts as at present defined, in this State, which shall  
4 consist of the State Inspector of Mines for said district, one practical coal  
5 miner, and one operator or superintendent of a coal mine, all of whom  
6 shall be citizens of the State and residents of the district for which the  
7 board is created. The inspector shall serve ex-officio, and the said miner  
8 and operator or superintendent of each district board shall be appointed as  
9 soon as practicable after the passage of this act and thereafter every two  
10 years, by the State Commissioners of Labor. The members of said board of  
11 examiners shall serve two years, which years shall correspond with the  
12 term of the State Inspectors of Mines, except that the members of the  
13 board first appointed shall serve from the date of their appointment until  
14 the first day of October, 1893. Meetings of said board shall be held at such  
15 times and places within their respective districts, shall be conducted under  
16 such rules, conditions and regulations as the members of said board may  
17 deem most efficient for the carrying into effect the spirit and intent of this act.  
18 Said board shall after each of its several meetings make report of its action,  
19 and of its term of service to the State Commissioners of Labor; and the  
20 traveling expenses of the members of said board, and the sum of three  
21 dollars per day for each day devoted to the service required by this act,  
22 which shall not exceed fifteen days in all during any one year, shall be  
23 paid to each of the members of said board (save only, and except, to the  
24 several State Inspectors of Mines) upon vouchers sworn to by them, and  
25 approved by the secretary of the Commissioners of Labor and the Governor,  
26 and the Auditor of Public Accounts is hereby authorized to draw his war

27 rant on the Treasurer, payable out of any money in the treasury not other-  
28 wise appropriated, in favor of the said two members of each board for the  
29 amounts thus shown to be due them.

§ 4. Certificates of qualification or competency shall be conferred by the  
2 examining board herein provided for upon any citizen of the United States  
3 who shall submit to and satisfactorily pass such an examination as to his  
4 fitness for the duties and responsibilities of mine manager as said exam-  
5 ers shall provide, and certificates of service shall be conferred upon any  
6 citizen of the United States who shall present satisfactory evidence of hav-  
7 ing had at least four years practical experience in coal mines and of having  
8 served as mine manager continuously and satisfactorily and for the same  
9 person or firm for the one year next preceding the passage of this act; but  
10 the holder of such certificate shall not be eligible to employment by any other  
11 person or firm until he shall also have obtained a certificate of competency  
12 upon examination. The certificates herein provided for shall be issued by  
13 the respective examining boards and be registered in the office of the Com-  
14 missioners of Labor at the capital, where a record of all certificates issued  
15 shall be kept. Such certificates shall contain the full name, age and place  
16 of birth of the recipient and also the length and nature of his previous  
17 service in and about coal mines. All applicants for the certificates herein  
18 provided for shall before receiving their examinations pay to the board the  
19 sum of one dollar each, and those who receive certificates shall pay an  
20 additional sum of two dollars each; all of which fees shall be accounted for  
21 by the Inspector of Mines and covered into the State treasury.

§ 5. After January 1, 1922, no owner, operator or agent of any mine to  
2 which this act applies shall employ any mine manager who does not hold  
3 either the certificate of competency or service herein provided for; and if  
4 any accident shall occur in any mine in which a mine manager shall be  
5 employed who has no certificate of competency or service as required by

6 this act, by which any miner shall be killed or injured, he or his heirs  
7 shall have right of action against such operator, owner or agent, and shall  
8 recover the full value of the damages sustained: *Provided*, that in case no  
9 suitable or satisfactory certified mine manager can be obtained by any  
10 operator at the date herein specified, such operator may place any compe-  
11 tent man in temporary charge of his mine to act as mine manager until  
12 such time as a suitable certified manager may be found: *Provided*, that the  
13 time be not more than three months from the date aforesaid. Each of said  
14 board of examiners shall be furnished by the Secretary of State with the  
15 necessary blanks, blank books and stationery. Any violation of the provis-  
16 ions of this act shall be a misdemeanor and be punished accordingly

1. Introduced by Mr. Hunt, January 20, 1891, and ordered to first reading.
2. First reading January 20, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to provide for the examination of mine managers and to regulate their employment.

---

**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That in order to secure greater efficiency in the

3 management of coal mines and a higher standard of qualification in those

4 who have immediate responsibility for the health and safety of persons

5 employed in coal mines, it shall be unlawful, except as hereinafter pro-

6 vided, after the first day of January, 1892, for any person to assume or

7 attempt to discharge the duties of mine manager at any coal mine equipped

8 for shipping coal by rail or water, or any mine whose output may be more

9 than twenty five or more tons per day, unless he shall hold such a certifi-

10 cate as to his qualifications for that position as may be required by this

11 act: *Provided,* that the term mine manager is here intended to mean any

12 person who is charged with the general direction of the underground work,

13 or both the underground and top work of any coal mine, and who is com-

14 monly known and designated as mine boss or foreman or pit boss.

§ 2. The certificates provided for in the first section of this act may be

2 either certificates of competency or certificates of service, and any person

3 may acquire such certificate by appearing before a duly organized or au-

4 thorized board of examiners and submitting to such examination as to his  
5 competency or length of service as may be prescribed by this act and the  
6 said examiners.

§ 3. For the purpose of determining the fitness of persons for the duties  
2 of mine manager, a board of examiners shall be created in each of the  
3 mine inspection districts as at present defined in this State, which shall  
4 consist of the State Inspector of Mines for said district, one practical coal  
5 miner, and one operator or superintendent of a coal mine, all of whom  
6 shall be citizens of the State and residents of the district for which the  
7 board is created. The inspector shall serve ex-officio, and the said miner  
8 and operator or superintendent of each district board shall be appointed as  
9 soon as practicable after the passage of this act and thereafter every two  
10 years, by the State Commissioners of Labor. The members of said board of  
11 examiners shall serve two years, which years shall correspond with the  
12 term of the State Inspectors of Mines, except that the members of the  
13 board first appointed shall serve from the date of their appointment until  
14 the first day of October, 1893. Meetings of said board shall be held at such  
15 times and places within their respective districts, shall be conducted under  
16 such rules, conditions and regulations as the members of said board may  
17 deem most efficient for the carrying into effect the spirit and intent of this  
18 act. Said board shall after each of its several meetings make report of its  
19 action, and of its term of service to the State Commissioners of Labor; and  
20 the traveling expenses of the members of said board, and the sum of three  
21 dollars per day for each day devoted to the service required by this act,  
22 which shall not exceed fifteen days in all during any one year, shall be  
23 paid to each of the members of said board (save only, and except, to the  
24 several State Inspectors of Mines) upon vouchers sworn to by them, and  
25 approved by the secretary of the Commissioners of Labor and the Governor,  
26 and the Auditor of Public Accounts is hereby authorized to draw his war-  
27 rant on the Treasurer, payable out of any money in the treasury not other-

28 wise appropriated, in favor of the said two members of each board for the  
29 amounts thus shown to be due them.

§ 4. Certificates of qualification or competency shall be conferred by the  
2 examining board herein provided for, upon any citizen of the United States  
3 who shall submit to and satisfactorily pass such an examination as to his  
4 fitness for the duties and responsibilities of mine manager as said exam-  
5 ers shall provide, and certificates of service shall be conferred upon any  
6 citizen of the United States who shall present satisfactory evidence of hav-  
7 ing had at least four years practical experience in coal mines and of having  
8 served as mine manager continuously and satisfactorily and for the same  
9 person or firm for the one year next preceding the passage of this act; but  
10 the holder of such certificate shall not be eligible to employment by any  
11 other person or firm until he shall also have obtained a certificate of com-  
12 petency upon examination. The certificates herein provided for shall be  
13 issued by the respective examining boards and be registered in the office of  
14 the Commissioners of Labor, at the capital, where a record of all certificates  
15 issued shall be kept. Such certificates shall contain the full name, age and  
16 place of birth of the recipient, and also the length and nature of his pre-  
17 vious service in and about coal mines. All applicants for the certificates  
18 herein provided for shall before receiving their examinations pay to the  
19 board the sum of one dollar each, and those who receive certificates shall  
20 pay an additional sum of two dollars each; all of which fees shall be ac-  
21 counted for by the Inspector of Mines and covered into the State treasury.

§ 5. After January 1, 1892, no owner, operator or agent of any mine to  
2 which this act applies shall employ any mine manager who does not hold  
3 either the certificate of competency or service herein provided for; and if  
4 any accident shall occur in any mine in which a mine manager shall be  
5 employed who has no certificate of competency or service as required by  
6 this act, by which any miner shall be killed or injured, he or his heirs  
7 shall have right of action against such operator, owner or agent, and shall

8 recover the full value of the damages sustained: *Provided*, that in case no  
9 suitable or satisfactory certified mine manager can be obtained by any  
10 operator at the date herein specified, such operator may place any compe-  
11 tent man in temporary charge of his mine to act as mine manager until  
12 such time as a suitable certified manager may be found: *Provided*, that the  
13 time be not more than three months from the date aforesaid. Each of said  
14 board of examiners shall be furnished by the Secretary of State with the  
15 necessary blanks, blank books and stationery. Any violation of the pro-  
16 visions of this act shall be a misdemeanor and be punished accordingly.



1. Introduced by Mr. Wright, January 21, 1891, and ordered to first reading.
2. First reading January 21, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments April 10, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 2 of an act entitled "An act to fix the time within which an execution may issue on a judgment of a justice of the peace, and within which a suit may be brought upon such judgment."

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*Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 2 of an act entitled "An act to fix the time within which an execution may issue on a judgment of a justice of the peace, and within which a suit may be brought upon such judgment," approved May 27, 1889, and in force July 1, 1889, be and the same is hereby amended so as to read as follows:*

Section 2. A suit may be brought upon a judgment of a justice of the peace at any time within ten years next after the rendition thereof, and not afterwards: *Provided*, however, that no such suit shall be brought upon said judgment within the same county where such judgment may be rendered, until the expiration of seven years next after its rendition.



1. Introduced by Mr. Wright, January 21, 1891, and ordered to first reading.  
2. First reading January 21, 1891, and referred to Committee on Judiciary.  
3. Reported back with amendments April 14, 1891, passage recommended, and ordered to second reading.  
4. Second reading April 16, 1891, amended, and ordered to a third reading.
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## A BILL

For an act to amend section 2 of an act entitled "An act to fix the time within which an execution may issue on a judgment of a justice of the peace, and within which a suit may be brought upon such judgment."

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly,* That section 2 of an act entitled "An act to fix the time within which an execution may issue on a judgment of a justice of the peace, and within which a suit may be brought upon such judgment," approved May 27, 1889, and in force July 1, 1889, be and the same is hereby amended so as to read as follows:

Section 2. A suit may be brought upon a judgment of a justice of the peace at any time within ten years next after the rendition thereof, and not afterwards: *Provided, however,* that no such suit shall be brought upon said judgment in a court of like jurisdiction, within the same county where such judgment may be rendered, until the expiration of seven years next after its rendition.



1. Introduced by Mr. Sheets, January 23, 1891, and ordered to first reading.
2. First reading January 23, 1891, and referred to Committee on Insurance.
3. Reported back March 5, passage recommended, and ordered to second reading.

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## A BILL

For an act requiring the procurement of license by life insurance agents and providing a penalty for violation thereof.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no person shall solicit, procure, receive, write or forward applications for any life insurance company within this State without first obtaining a certificate of authority for such purpose from the Auditor of Public Accounts.

§ 2. Applications for certificates of authority of agents must be made on behalf of the life insurance company or some general officer or agent thereof, appointed as general agent, with authority to appoint agents.

The form of application shall be furnished by the Auditor of Public Accounts and shall be jointly signed by the representative of the company and the person to whom the certificate is to be issued. It shall state the name, age, residence and present business of the applicant, and that he, in good faith, intends to engage in the business of soliciting life insurance.

§ 3. Whoever solicits, procures, receives within or transmits from this State any application for life insurance in any insurance company without

3 having a certificate of authority from the Auditor of Public Accounts so to  
4 do shall be fined not less than one hundred and not more than five hun-  
5 dred dollars.

§ 4. The provisions of this act shall not be construed to apply to fra-  
2 ternal associations dispensing aid or benefits to their members or their heirs.

§ 5. Whereas, an emergency exists requiring this act to take immediate  
2 effect, therefore be it enacted that this act shall take effect from and after  
3 its passage.

1. Introduced by Mr. Sheets January 23, 1891, and ordered to first reading.
2. First reading January 23, 1891, referred to Committee on Insurance.
3. Reported back March 5, 1891, passage recommended and ordered to second reading.
4. Second reading April 23, 1891, amended and ordered to third reading.

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## A BILL

For an act requiring the procurement of license by life insurance agents and providing a penalty for violation thereof.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no person shall solicit, procure, receive, write or forward applications for any life insurance company within this State without first obtaining a certificate of authority for such purpose from the Auditor of Public Accounts.

§ 2. Applications for certificates of authority of agents must be made on behalf of the life insurance company or some general officer or agent thereof, appointed as general agent, with authority to appoint agents.

§ 3. The form of application shall be furnished by the Auditor of Public Accounts and shall be jointly signed by the representative of the company and the person to whom the certificate is to be issued. It shall state the name, age, residence and present business of the applicant, and that he, in good faith, intends to engage in the business of soliciting life insurance.

§ 4. Whoever solicits, procures, receives within or transmits from this State any application for life insurance in any insurance company without

3 having a certificate of authority from the Auditor of Public Accounts so to  
4 do shall be fined not less than one hundred and not more than five hun-  
5 dred dollars.

§ 4. The provisions of this act shall not be construed to apply to fra-  
2 ternal associations dispensing aid or benefits to their members or their heirs,  
3 nor to agents holding certificates of authority when such agents write  
4 brokerage business for other companies duly authorized to do business in  
5 this State.



1. Introduced by Mr. Sheets January 22, 1891, and ordered to first reading.
2. First reading January 22, 1891, and referred to Committee on Insurance.
3. Reported back with amendments March 5, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to correct certain abuses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insurants of the same class and equal expectation of life, in the rates, amount, or payment of premium, in the return of premiums, dividends, rebates or other benefits.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That no life insurance company or association organized under the laws of this State, or doing business within the limits of the same, shall make or permit any distinction or discrimination between insurants of the same class and equal expectation of life, in its established rates; nor in charging, collecting, demanding or receiving of the amount of premium for insurants of the same class and equal expectation of life; nor in the return ratably of premium, dividends, or other benefits, accruing, or that may accrue, to such insurants as aforesaid; nor in the terms and conditions of the contract between such company and the insurants; and such contract of insurance shall be fully and wholly expressed and contained in the policy issued; nor shall any such company or its agents pay, or allow,

or offer to pay or allow to any person insured any special rebate or premium, or any special favor or advantage in the dividends or other benefits to accrue on such policy, or promise the same to any person as inducement to insure, or promise or give any advantage or valuable consideration whatever, not expressed or specified in the policy of such company

§ 2. If any such life insurance company, or association, its agent or agents, as aforesaid, shall make any unjust discriminations, as enumerated in section 1 of this act, the same shall be deemed guilty of having violated the provisions of this act, and upon conviction thereof shall be dealt with as hereinafter provided.

§ 3. Any such life insurance company or association which shall transact its business in this State in violation of the provisions of this act, shall, together with the agent or agents so unlawfully transacting said business, jointly and severally, be subject to a penalty of not less than five hundred dollars (\$500), or more than one thousand dollars (\$1,000), to be sued for and recovered in the name of the People of the State of Illinois, by the State's attorney of the county in which such agent or agents may reside, or in the county in which the offense is committed. One-half of said penalty, when recovered, shall be paid into the treasury of said county, the other half to the informer of such violation. And it is hereby made the duty of the Auditor of Public Accounts, upon conviction had as aforesaid, of penalty recovered against any such company, or the agent thereof, for any violation of this act, at once to revoke, cancel and annul the certificates of authority issued to any such agent by the Auditor of Public Accounts.

§ 4. The provisions of this act shall not be construed to apply to fraternal associations dispensing aid or benefits to members, or their heirs, or legal representatives.

§ 5. Whereas, under present laws, the evils hereby sought to be remedied

2 exist and are now being practiced; therefore, an emergency exists, and this  
3 act shall take effect immediately on its passage.

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**AMENDMENT PROPOSED BY THE COMMITTEE ON INSURANCE.**

Amended by adding after the word "issued" in line 12, the following: "And  
2 the application thereof."



1. Introduced by Mr. Sheets January 22, 1891, and ordered to first reading.
2. First reading January 22, 1891, and referred to Committee on Insurance.
3. Reported back with amendments March 5, 1891, passage recommended and ordered to second reading.
4. Second reading March 18, 1891, amended and ordered to third reading.

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## A BILL

For an act to correct certain abuses and prevent unjust discriminations of and by life insurance companies doing business in this State, between insureds of the same class and equal expectation of life, in the rates, amount, or payment of premium, in the return of premiums, dividends, rebates or other benefits.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, in*

2 *in the General Assembly.* That no life insurance company or association  
3 organized under the laws of this State, or doing business within the limits  
4 of the same, shall make or permit any distinction or discrimination between  
5 insureds of the same class and equal expectation of life, in its established  
6 rates; nor in the charging, collecting, demanding or receiving of the amount  
7 of premium for insureds of the same class and equal expectation of life;  
8 nor in the return ratable of premium, dividends, or other benefits accruing,  
9 or that may accrue, to such insureds as aforesaid; nor in the terms and  
10 conditions of the contract between such company and the insureds; and  
11 such contract of insurance shall be fully and wholly expressed and con-  
12 tained in the policy issued and the application therefor; nor shall any such  
13 company or its agents pay, or allow, or offer to pay or allow to any person  
14 insured any special rebate or premium, or any special favor or advantage

15 in the dividends or other benefits to accrue on such policy, or promise the  
16 same to any person as inducement to insure, or promise or give any ad-  
17 vantage or valuable consideration whatever, not expressed or specified in  
18 the policy of such company.

§ 2. If any such life insurance company, or association, its agent or  
2 agents, as aforesaid, shall make any unjust discriminations, as enumerated  
3 in section 1 of this act, the same shall be deemed guilty of having violated  
4 the provisions of this act, and upon conviction thereof shall be dealt with  
5 as hereinafter provided.

§ 3. Any such life insurance company or association which shall transact  
2 its business in this State in violation of the provisions of this act shall,  
3 together with the agent or agents so unlawfully transacting said business,  
4 jointly and severally, be subject to a penalty of not less than five hundred  
5 dollars (\$500), or more than one thousand dollars (\$1,000), to be sued for  
6 and recovered in the name of the People of the State of Illinois, by the  
7 State's attorney of the county in which such agent or agents may reside,  
8 or in the county in which the offense is committed. One-half of said pen-  
9 alty, when recovered, shall be paid into the treasury of said county, the  
10 other half to the informer of such violation. And it is hereby made the  
11 duty of the Auditor of Public Accounts, upon conviction had as aforesaid,  
12 or penalty recovered against any such company, or the agent thereof, for  
13 any violation of this act, at once to revoke, cancel and annul the certifi-  
14 cates of authority issued to any such agent by the Auditor of Public Ac-  
15 counts.

§ 4. The provisions of this act shall not be construed to apply to frater-  
2 nal associations dispensing aid or benefits to members, or their heirs, or  
3 legal representatives.

- 
1. Introduced by Mr. Secrest, January 24, 1891, and ordered to first reading.
  2. First reading January 24, 1891, and referred to Committee on State Charitable Institutions.
  3. Reported back April 17, 1891, and ordered to be printed for use of Committee.
- 

## A BILL

For an act making further provision for the insane of the State of Illinois now unprovided for, by increasing the capacity of the Illinois Eastern Hospital for the Insane at Kankakee.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following amounts be and the same are  
3 hereby appropriated to the Illinois Eastern Hospital for the Insane at Kan-  
4 kakee, for the purposes hereinafter named, and for no other:

5 To provide buildings for 300 additional patients, one hundred and fifty  
6 thousand dollars (\$150,000).

7 For furniture for 300 additional patients, twelve thousand dollars  
8 (\$12,000).

9 For ten-inch water main, two thousand one hundred and sixty dollars  
10 (\$2,160).

11 For additional stock barn, three thousand dollars (\$3,000).

12 For kitchen fixture and machinery, one thousand two hundred dollars  
13 (\$1,200).

- 14 For electric light, three thousand five hundred dollars (\$3,500).
- 15 For additional steam engine, seven thousand dollars (\$7,000).
- 16 For laundry machinery, five thousand two hundred and twenty five dol-
- 17 lars (\$5,225).
- 18 For ordinary expenses for an average of 150 patients for one year, twenty-
- 19 two thousand five hundred dollars (\$22,500).

§ 2. The additional buildings herein provided for shall be two stories in  
 2 height, and shall correspond in construction to the detached wards already  
 3 erected at the said institution. They shall be of brick or stone, and shall  
 4 have slate roofs, and floors of stone or tile in all bath rooms, wash rooms,  
 5 water closets, sculleries, kitchens, etc. They shall also, if heated by fur-  
 6 naces, have fire-proof walls around and above all such furnaces. Buildings  
 7 shall be completed, supplied with heating apparatus, and made ready to be  
 8 furnished and occupied by not less than 300 patients, within the sum of  
 9 one hundred and fifty thousand dollars (\$150,000.) The plans for said build-  
 10 ings shall be submitted by the trustees to the Governor and to the State  
 11 Board of Public Charities, and approved by the Governor and State Board  
 12 of Public Charities before any steps are taken toward their erection, and  
 13 no expense shall be incurred in excess of the amounts hereby appropriated,  
 14 but full and complete provision for 300 patients shall be made within the  
 15 amounts above named.

§ 3. The trustees shall not contract for or begin the erection of any  
 2 building or buildings which cannot be fully completed within the amount  
 3 of the present appropriations; but they may use any unexpended balances  
 4 of appropriations heretofore made or herein specified, for the better accom-  
 5 plishment of the purposes of this act, namely: to make the earliest and full-  
 6 est provision for the insane of this State which may be expedient and possi-  
 7 ble.

§ 4. When the buildings herein provided for are ready for occupation,



2 the superintendent of the hospital shall receive patients, and the trustees  
3 shall certify at the beginning of each quarter to the Governor the number  
4 of patients at that date present in the new buildings, and payment shall be  
5 made from the twenty-two thousand five hundred dollars (\$22,500) herein  
6 appropriated, at the rate of one hundred and fifty dollars (\$150) per annum  
7 for the total number of patients actually present at the beginning of each  
8 quarter, and only so much of the appropriation for ordinary expenses herein  
9 made shall be used as is required for the maintenance of the patients actu-  
10 ally present, as above.

1 5. The moneys herein appropriated shall be due and payable to the  
2 trustees or their order, only on the terms and in the manner now provided  
3 by law.



1. Introduced by Mr. Secrest, January 24, 1891, and ordered to first reading.
  2. First reading January 24, 1891, and referred to Committee on State Charitable Institutions.
  3. Reported back with amendments May 6, 1891, passage recommended, and ordered to Committee on Appropriations.
  4. Reported back with amendments, May 8, 1891, passage recommended and ordered to second reading.
- 

## A BILL

For an act making further provision for the insane of the State of Illinois now unprovided for, by increasing the capacity of the Illinois Eastern Hospital for the Insane at Kankakee.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the following amounts be and are hereby ap-  
3 propriated to the Illinois Eastern Hospital for the Insane at Kankakee, for  
4 the purposes hereinafter named, and for no other:

5 To provide buildings for three hundred additional patients, one hundred  
6 and fifty thousand dollars (\$150,000).

7 For furniture for three hundred additional patients, twelve thousand dol-  
8 lars (\$12,000).

9 For ten inch water main, two thousand one hundred and sixty dollars  
10 (\$2,160).

11 For additional stock barn, three thousand dollars (\$3,000).

12 For kitchen fixtures and machinery, one thousand two hundred dollars  
13 (\$1,200).

14 For electric light, three thousand five hundred dollars (\$3,500).

15 For additional steam engine, seven thousand dollars (\$7,000).

16 For laundry machinery, five thousand two hundred and twenty-five dol  
17 lars (\$5,225).

18 For ordinary expenses for an average of one hundred and fifty patients  
19 for one year, twenty-two thousand five hundred dollars (\$22,500).

§ 2. The additional buildings herein provided for shall be two stories in  
2 height, and shall correspond in construction to the detached wards already  
3 erected at the said institution. They shall be of brick or stone, and shall  
4 have slate roofs, and floors of stone or tile in all bath rooms, wash rooms,  
5 water closets, sculleries, kitchens, &c. They shall also, if heated by furnaces,  
6 have fireproof walls around and above all such furnaces. Buildings shall  
7 be completed, supplied with heating apparatus, and made ready to be fur-  
8 nished and occupied by not less than three hundred patients, within the  
9 sum of one hundred and fifty thousand dollars (\$150,000). The plans for  
10 said buildings shall be submitted by the trustees to the Governor, and to  
11 the State Board of Public Charities, and approved by the Governor and  
12 State Board of Public Charities, before any steps are taken toward their  
13 erection, and no expense shall be incurred in excess of the amounts hereby  
14 appropriated, but full and complete provision for three hundred patients  
15 shall be made within the amounts above named.

§ 3. The trustees shall not contract for or begin the erection of any  
2 building or buildings which cannot be fully completed within the amount  
3 of the present appropriation; but they may use any unexpended balances of  
4 appropriations heretofore made or herein specified, for the better accom-  
5 plishment of the purposes of this act, namely: to make the earliest and fullest  
6 provision for the insane of this State which may be expedient and possible.

§ 4. When the buildings herein provided for are ready for occupation, the  
2 superintendent of the hospital shall receive patients, and the trustees shall  
3 certify at the beginning of each quarter to the Governor the number of  
4 patients at that date present in the new buildings, and payment shall be  
5 made from the twenty-two thousand five hundred dollars (\$22,500) herein

6 appropriated, at the rate of one hundred and fifty dollars (\$150) per annum  
 7 for the total number of patients actually present at the beginning of each  
 8 quarter, and only so much of the appropriation for ordinary expenses herein  
 9 made shall be used as is required for the maintenance of the patients actually  
 10 present, as above.

11 § 5. The moneys herein appropriated shall be due and payable to the  
 12 trustees or their order, only on the terms and in the manner now provided  
 13 by law.

# PROPOSED AMENDMENTS TO SENATE BILL No. 69, BY THE COM- MITTEE ON APPROPRIATIONS.

1. Amend section 1 by striking out the words and figures "one hundred and fifty thousand dollars (\$150,000)" in lines 5 and 6, and insert the words and figures "one hundred and forty thousand dollars."

2. Amend by adding the following section to be known as section 2: "The trustees of said hospital shall immediately upon the taking effect of this act cause plans and specifications to be prepared for the construction of said additional building, or the superintendent of the said hospital, under the direction of the board of trustees, may procure plans and have general charge and supervision of the work of contracting for furnishing the additions.

Also amend the bill by changing the original sections 2, 3, 4 and 5, to sections 3, 4, 5 and 6.



**REPORT OF CONFERENCE COMMITTEE ON**  
**37th Assem.                      SENATE—No. 69.                      June 1891**

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*To the Honorable, the Senate and House of Representatives:*

The undersigned, the Conference Committee of the Senate and House, appointed to consider Senate Bill No. 69, and the amendments thereto made by the House, and the differences between the two houses relating to said bill and amendments, beg leave to report, that having fully considered the same, they recommend that the senate recede from its position in regard to the House amendment, and that the House recede from its position in regard to the same, and that the words and figures "one hundred and forty thousand dollars (\$140,000)" in section 1 of the House amendment be stricken out, and the words and figures "one hundred and sixty-three thousand dollars (\$163,000)" be inserted in lieu thereof, and that the amendments of the House as herein amended be adopted.

**H. H. EVANS,**

**JOHN HUMPHREY,**

**JOSEPH P. MAHONEY,**

**Committee on the part of the Senate.**

**JOHN EDDY,**

**JOHN F. ROWAN,**

**SAMUEL WHITE,**

**Committee on the part of the House.**





1. Introduced by Mr. Secrest January 24, 1891, and ordered to first reading.
2. First reading January 24, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back April 17, 1891, and ordered to be printed for use of committee.

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### A BILL

For an act making appropriations for the Illinois Eastern Hospital for the Insane at Kankakee.

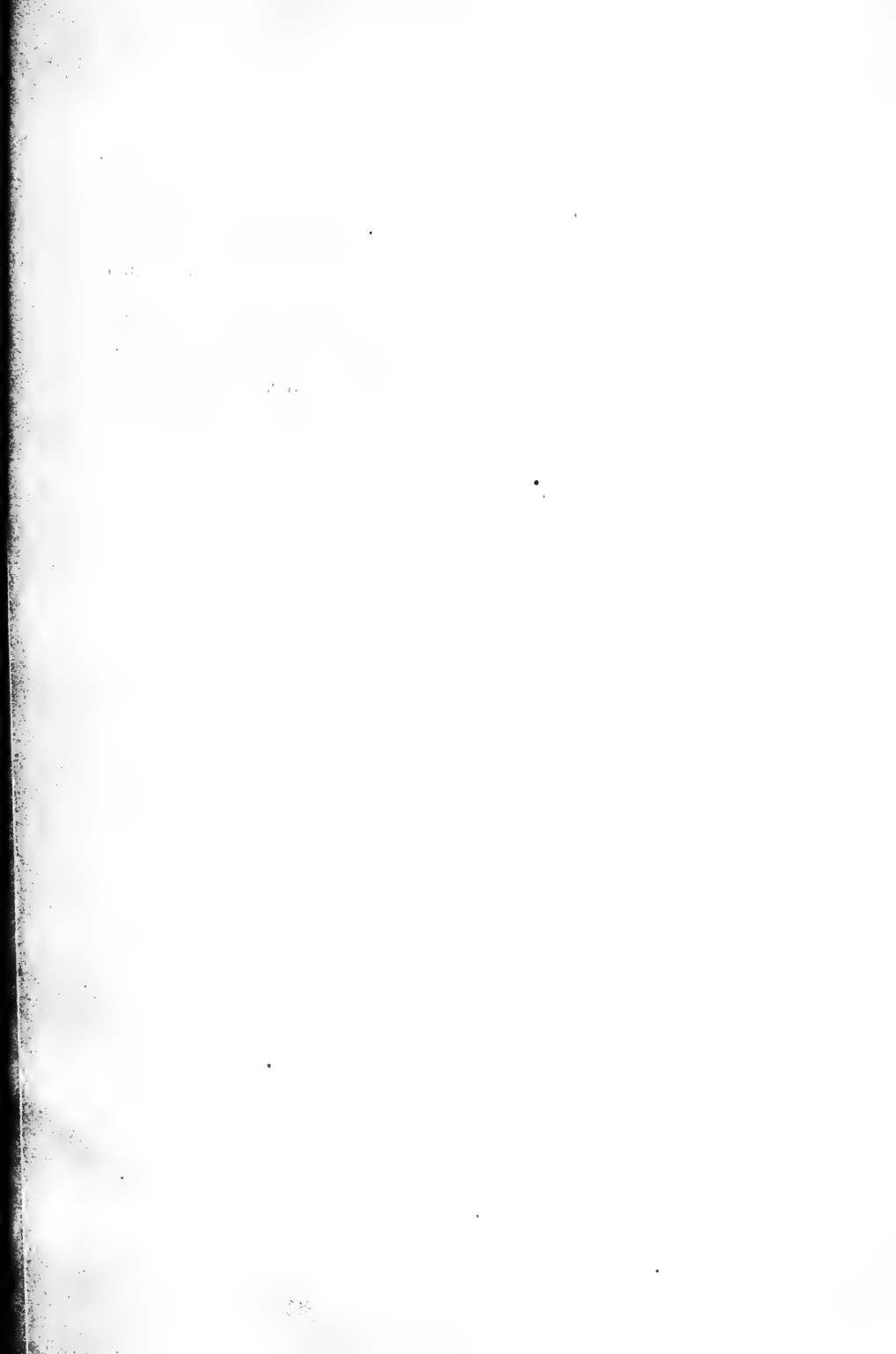
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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

- 2 *in the General Assembly.* That the following amounts be and are hereby
- 3 appropriated to the Illinois Eastern Hospital for the Insane at Kankakee
- 4 for the purposes hereinafter named and for no other:
- 5 For improvement of grounds and for additional stock and farm imple-
- 6 ments three thousand dollars (\$3,000) per annum.
- 7 For furniture and fixtures ten thousand dollars (\$10,000).
- 8 For painting inside and outside seven thousand five hundred dollars
- 9 (\$7,500).
- 10 For shop building with machinery, for patients' work, ten thousand dollars
- 11 (\$10,000).
- 12 For covering for steam pipes six thousand dollars (\$6,000).
- 13 For projections for outside water closets fifteen thousand six hundred and
- 14 twenty-one dollars and twenty cents (\$15,621.20).

- 15 For land drain and repair of sewer and of old and worn out plumbing
- 16 four thousand five hundred dollars (\$4,500).
- 17 For concrete walks three thousand six hundred and ninety dollars
- 18 (\$3,690).
- 19 For addition to bath house five thousand dollars (\$5,000).
- 20 For building for soap making and rendering three thousand five hundred
- 21 dollars (\$3,500).
- 22 For fire apparatus one thousand three hundred and sixteen dollars
- 23 (\$1,316).
- 24 For addition to farm ward nine hundred and three dollars (\$903).
- 25 For finishing off dining rooms in basements of number 1 south, number 7
- 26 south and relief south, two thousand eight hundred and fifty-six dollars and
- 27 fifty-five cents (\$2,856.55).
- 28 For artesian well three thousand dollars (\$3,000).
- 29 For furnaces to heat relief south, and numbers 1 and 3 and 4 and 6
- 30 south, and infirmary north, twelve thousand dollars (\$12,000).
- 31 For duplicate steam pump at water works six thousand five hundred
- 32 dollars (\$6,500).
- 33 For roofing corridor with flagging three thousand five hundred and forty
- 34 dollars (\$3,540).
- 35 For tiling for kitchens, sculleries, bath rooms and water closets now hav-
- 36 ing wood floors, two thousand seven hundred and eighteen dollars (\$2,718).
- 37 To provide increased accommodations for officers and employees ten thou-
- 38 sand dollars (\$10,000).
- 39 For addition to ice house one thousand and ninety dollars (\$1,090).
- 40 For repair of railroad track to hospital two thousand five hundred and
- 41 sixty dollars and fifty cents (\$2,560.50).
- 42 For tower clock and bell two thousand dollars (\$2,000).

§ 2. The moneys herein appropriated shall be due and payable to the  
2 trustees or their order only on the terms now provided by law, and it is  
3 hereby provided that the sums appropriated for the improvements herein,  
4 shall be the full amounts for the objects specified, and the trustees shall  
5 not contract for any portion of the above improvements, or expend any  
6 portion of the appropriations hereby made, unless the said appropriations  
7 are sufficient to complete all the said improvements and finish the same.



1. Introduced by Mr. Secrest, January 24, 1891, and ordered to first reading.
2. First reading January 24, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back with amendments April 20, 1891, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 30, 1891, with amendments and ordered to second reading.

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## A BILL

For an act making appropriations for the Illinois Eastern Hospital for the Insane at Kankakee.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following amounts be and are hereby ap-  
3 propriated to the Illinois Eastern Hospital for the Insane at Kankakee, for  
4 the purposes hereinafter named, and for no other:

5 1. For improvement of grounds, and for additional stock and farm im-  
6 plements, three thousand dollars (\$3,000) per annum.

7 2. For furniture and fixtures, ten thousand dollars (\$10,000).

8 3. For painting, inside and outside, seven thousand five hundred dollars  
9 (\$7,500).<sup>2</sup>

10 4. For shop building, with machinery, for patients' work, ten thousand  
11 dollars (\$10,000).

12 5. For covering steam pipes, six thousand dollars, (\$6,000).

13 6. For projections for outside water closets, fifteen thousand six hundred  
14 and twenty-one dollars and twenty cents (\$15,621.20).

15 7. For land drain and repair of sewer, and of old and worn out plumbing,  
16 four thousand five hundred dollars (\$4,500).

- 17 8. For concrete walks, three thousand six hundred and ninety dollars  
18 (\$3,690).
- 19 9. For addition to bath house, five thousand dollars (\$5,000).
- 20 10. For building for soap making and rendering, three thousand five hun-  
21 dred dollars (\$3,500).
- 22 11. For fire apparatus, one thousand three hundred and sixteen dollars  
23 (\$1,316).
- 24 12. For addition to farm ward, nine hundred and three dollars (\$903).
- 25 13. For finishing off dining rooms in basements of number 1 south, num-  
26 ber 7 south, and relief south, two thousand eight hundred and fifty-six dol-  
27 lars and fifty-five cents (\$2,856.55).
- 28 14. For artesian well, three thousand dollars (\$3,000).
- 29 15. For furnances to heat relief south, and numbers 1 and 3 and 4 and  
30 6 south, and infirmary north, twelve thousand dollars (\$12,000).
- 31 16. For duplicate steam pump at water works, six thousand five hundred  
32 dollars (\$6,500).
- 33 17. For roofing corridor with flagging, three thousand five hundred and  
34 forty dollars (\$3,540).
- 35 18. For tiling for kitchen, sculleries, bath rooms and water closets now  
36 having wood floors, two thousand seven hundred and eighteen dollars (\$2,718).
- 37 19. To provide increased accommodations for officers and employes, ten  
38 thousand dollars (\$10,000).
- 39 20. For addition to ice house, one thousand and ninety dollars (\$1,090).
- 40 21. For repair of railroad track to hospital, two thousand five hundred  
41 and sixty dollars and fifty cents (\$2,560.50).
- 42 22. For tower clock and bell, two thousand dollars (\$2,000).

§ 2. The money herein appropriated shall be due and payable to the  
3 trustees or their order only on the terms now provided by law, and it is  
3 hereby provided that the sums appropriated for the improvements herein,

4 shall be the full amounts for the objects specified, and the trustees shall not  
 5 contract for any portion of the above improvements, or expended any portion  
 6 of the appropriations hereby made, unless the said appropriations are suffi-  
 7 cient to complete all the said improvements and finish the same.

# PROPOSED AMENDMENTS TO SENATE BILL NO. 70, BY THE COM- MITTEE ON APPROPRIATIONS.

1. Amend section 1 by striking out in lines 8 and 9 the words and figures "seven thousand five hundred dollars (\$7,500)" and insert the figures "\$5,000." in lieu thereof.

2. Amend section 1 by striking out the words and figures "six thousand dollars (\$6,000)" in line 12 and insert the figures "\$4,000" in lieu thereof.

3. Amend section 1 by striking out of lines 17 and 18 the words and figures "three thousand six hundred and ninety dollars (\$3,690)" and insert the figures "\$450" in lieu thereof.

4. Amend section 1 by striking out of lines 20 and 21 the words and figures "three thousand five hundred dollars (\$3,500)" and insert the figures "\$800" in lieu thereof.

5. Amend by striking out line 28, section 1, "For artesian well, three thousand dollars (\$3,000)."

6. Amend section 1 by striking out in line 30 the words and figures "twelve thousand dollars (\$12,000)" and insert the figures "\$3,000" in lieu thereof.

7. Amend section 1 by striking out in lines 37 and 38 the words and figures "ten thousand dollars (\$10,000)" and insert the figures "\$8,000" in lieu thereof.

8. Amend section 1 by striking out in line 39 the following words and

figures, "For addition to ice house, one thousand and ninety dollars (\$1,090)."

9. Amend section 1 by striking out in lines 40 and 41 the words and figures "two thousand five hundred and sixty dollars and fifty cents (\$2,560.50)" and insert the figures "\$2,000" in lieu thereof.

10. Amend section 1 by striking out line 42. "For tower clock and bell two thousand dollars (\$2,000)."

11. Amend by adding "Section 2: The trustees of said hospital shall immediately upon the taking effect of this act cause plans and specifications to be prepared for the construction and completion of said additional buildings, or the superintendent of the said hospital, under the direction of the board of trustees, may procure plans and have general charge and supervision of the work, contracting for and furnishing these additions."

12. Amend section 2 by striking out the number "2", and insert the figure "3" in lieu thereof.



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AMENDMENTS TO SENATE BILL NO. 70—IN HOUSE.

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Adopted by the House of Representatives June 8, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 by striking out all of lines 5 and 6 of the printed bill.

2. Amend section 1 by striking out of line 7 the words and figures "ten thousand dollars (\$10,000,") of the printed bill and insert the words and figures "five thousand dollars (\$5000,)" therefor.

3. Amend lines 8 and 9 in section 1 of the printed bill by striking out the words and figures "seven thousand five hundred (\$7500,)" and substituting therefor "three thousand (\$3000,)"

4. Amend lines 10 and 11 in section 1 of the printed bill by striking out the words and figures "ten thousand (\$10,000,)" and inserting "five thousand (\$5000,)"

5. Amend in lines 13 and 14 of section 1 of the printed bill by striking out the words and figures "fifteen thousand six hundred and twenty-one dollars and twenty cents (\$15,621.20,)" and inserting therefor "twelve thousand dollars (\$12,000,)"

6. Amend section 1 of printed bill by striking out all of line 19.

7. Amend section 1 by striking out of lines 26 and 27 of the printed bill "two thousand eight hundred and fifty-six dollars and fifty-five cents (\$2,856.55,)" and inserting therefor "two thousand five hundred dollars (\$2500,)"

8. Amend section 1 by striking out of lines 31 and 32 of the printed bill "six thousand five hundred dollars (\$6500,)" and inserting therefor "two thousand dollars (\$2000,)"

9. Amend section 1, by cutting out all of lines 33 and 34.

10. Amend section 1 by striking out in line 36 of the printed bill "two thousand seven hundred and eighteen dollars (\$2718)," and inserting therefor "two thousand five hundred dollars (\$2500)."

11. Amend section 1 by striking out all of lines 37 and 38.

REPORT OF CONFERENCE COMMITTEE ON

37th Assem.

SENATE—No. 70.

June 1891.

*To the Honorable, the Senate and House of Representatives:*

The undersigned, the Conference Committee of the Senate and House, appointed to consider Senate Bill No. 70, and the amendments thereto made by the House, and the differences between the two houses relating to said bill and amendments, beg leave to report that, having fully considered the same, they recommend

That the House recede from its first amendment, to-wit: "Amend section 1 of the printed bill by striking out all of lines 5 and 6," and that in lieu of said amendment the words "per annum" only be stricken out.

That the House recede from its amendment, to-wit:

Amendment No. 2, as follows: "Amend section 1 by striking out of line 7 the words and figures ten thousand dollars (\$10,000) and insert the words and figures five thousand dollars (\$5,000)."

That the House recede from its amendment, to-wit:

Amendment No. 3, as follows: "Amend lines 8 and 9, in section 1 of the printed bill by striking out the words and figures seven thousand five hundred dollars (\$7,500) and substituting therefor the words and figures three thousand dollars (\$3,000)."

That the House recede from its amendment, to-wit:

Amendment No. 4, as follows: "Amend lines 10 and 11 in section 1, of the printed bill, by striking out the words and figures ten thousand dollars (\$10,000), and inserting the words and figures five thousand dollars (\$5,000)."

That the House recede from its amendment, to-wit:

Amendment No. 6: "Amend section 1 of the printed bill by striking out all of line 19," and that the Senate recede from its amendment to the original bill making the amount to provide increased accommodations for officers and employes eight thousand dollars (\$8,000), and insert in lieu thereof the words and figures six thousand five hundred dollars (\$6,500)."

And that the Senate concur in all other amendments made by the House to the said Senate Bill No. 70.

H. H. EVANS,

JOHN HUMPHREY,

JOSEPH P. MAHONEY,

Committee on the part of the Senate.

JOHN EDDY,

JOHN F. ROWAND,

SAMUEL WHITE.

Committee on the part of the House.

1. Introduced by Mr. Secest, January 24, 1891, and ordered to first reading.
  2. First reading January 24, 1891, and referred to Committee on Building and Loan Associations.
  3. Reported back March 4, and ordered to be printed for use of Committee.
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## A BILL

For an act to amend sections 1, 5, 6 and 8, of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 1, 5, 6, and 8, of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association," in force July 1, 1879, be and the same are hereby amended so as to read as follows:

Section 1. That whenever any number of persons not less than five, may desire to become incorporated as a mutual building, farming, loan and homestead association, for the purpose of building and improving homesteads, buying and improving farms and stock thereon and loaning money to the members thereof only, they shall make a statement to that effect, under their hands and seals, duly acknowledged before some officer in the manner provided for the acknowledgement of deeds, such statement shall set forth the name of the proposed corporation, its capital stock, its location and the duration of the corporation; which statement shall be filed in the

10 office of the Secretary of State. The Secretary of State shall thereupon  
11 issue to such persons a license as commissioners, to open books for sub-  
12 scription to the capital stock of said corporation, at such time and place  
13 as they may determine; but no license shall be issued to two associations  
14 having the same name.

Section 5. The corporate powers shall be exercised by a board of  
2 directors: *Provided*, the number of directors shall not be increased or  
3 diminished, nor their term of office changed, without the consent of the  
4 owners of two-thirds of the shares of stock. The officers of the company  
5 shall consist of a president, vice-president, secretary and treasurer, to be  
6 elected at the annual meeting of the board of directors, as may be  
7 provided for in the charter and by-laws of the association: *Provided*, that  
8 only such officers of said association that are necessarily employed in the  
9 business thereof be entitled to compensation, and in such amount as may  
10 be provided for in the charter or bylaws of such association: *And*  
11 *provided*, that the treasurer shall give bond and security to be approved by  
12 the board of directors.

Section 6. The shares of stock shall be one hundred dollars (\$100 each,  
2 and shall be deemed personal property transferrable upon the books of  
3 the company, in such manner as may be provided by the by-laws, and  
4 subscriptions therefore shall be made payable to the corporation, and shall  
5 be payable in such periodical installments, and at such time or times as  
6 shall be determined by the charter and by-laws; but no periodical payments  
7 to be made exceeding twenty-four dollars (\$24) per annum on each share,  
8 except at the option of the subscriber; and every share of stock shall be subject  
9 to a lien for the payment of unpaid installments and other charges  
10 incurred thereon under the provisions of the charter and by-laws, and the  
11 by-laws may prescribe the form and manner of enforcing such lien. New  
12 shares of stock may be issued in lieu of shares withdrawn or forfeited,  
13 and the stock may be issued in one or in successive series, as may be

14 prescribed in the charter and by-laws, and in such amount (not to exceed  
15 the total capital stock) as the board of directors may determine, and any  
16 stockholder wishing to withdraw from the said corporation shall have  
17 power to do so, by giving thirty days notice of his or her intention to  
18 withdraw, when he or she shall be entitled to receive the amount paid in  
19 by him or her, and such interest thereon or such proportion of the profits  
20 thereon as the by-laws may determine, less all fines and other charges;  
21 *Provided*, that at no time shall more than one-half of the funds of the  
22 treasury of the corporation be applicable to the demands of withdrawing  
23 stockholders without the consent of the board of directors, and that no  
24 stockholder shall be entitled to withdraw whose stock is held in pledge  
25 for security. Upon the death of a stockholder his or her legal represen-  
26 tatives shall be entitled to receive the full amount paid in by him or her  
27 on all shares not borrowed upon or pledged to the association as collateral  
28 security, and legal interest thereon, first deducting all charges that may  
29 be due on the stock; but no fines shall be charged to a deceased member's  
30 account from and after his or her decease, unless the legal representatives  
31 of such decedent assumes the future payment of the dues on the stock.

Section 8. The board of directors shall hold such stated meetings, not  
2 less frequently than once a month, as may be provided by the by-laws, at  
3 which the money in the treasury, if one hundred dollars or more, shall be  
4 offered for loan in open meeting; and the stockholders who shall bid the  
5 highest premium, for the preference or priority of loan, shall be entitled  
6 to receive a loan of one hundred dollars, for each share of stock held by  
7 said stockholder; the said premium bid may be deducted from the loan in  
8 one amount, or may be paid in such proportionate amounts or installments,  
9 and at such times during the existence of the share of stock borrowed  
10 upon, as may be designated by the by-laws of the respective associations;  
11 or the president and secretary may loan said money subject to the approval  
12 of the board of directors as provided by the by-laws; *Provided*, that no

13 loan shall be made by said corporation except to its own members, nor in  
14 any sum in excess of the amount of stock held by such members borrowing:  
15 *And provided*, that such stockholder may borrow such fractional part of one  
16 hundred dollars as the by-laws may provide. Good and ample real estate  
17 security unincumbered, except by prior loans of such association, shall be  
18 given by the borrower, to secure the repayment of the loan: *Provided*  
19 *however*, that the stock of such association may be received as security, to  
20 the amount of the withdrawal value of such stock.



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1. Introduced by Mr. Secrest, January 24, 1891, and ordered to first reading.
  2. First reading January 24, 1891, and referred to Committee on Judiciary.
  3. Reported back February 20, 1891, and ordered to be printed.
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WHEREAS, ample facilities for drainage have come to be recognized as  
2 essential to the health and prosperity of our people; and, whereas, it is the  
3 duty of our law making powers to provide such facilities, therefore,

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## A BILL

For an act to enable counties to purchase or condemn any dam or dams on  
any of the streams in this State for the purpose of removing them to  
facilitate drainage.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That whenever any county in this State shall be so  
3 situated on or near any stream of water in this State, and there be any  
4 dam or dams on said stream, either within or without said county, that  
5 obstructs the flow of water of said stream and thereby, in whole or in part,  
6 obstructs the drainage of lands in said county, it shall be lawful for the  
7 authorities of said county to contract with the owner or owners of said  
8 dam or dams for the removal thereof if they can agree on the price or  
9 value thereof, which sum shall be paid out of the county treasury, and if  
10 said parties cannot agree on the value of said dam or dams, then said county  
11 authorities may acquire the same by condemnation under the act for exer-  
12 cising the right of eminent domain.

§ 2. Any county in this State, for the purpose of carrying out the provisions of this act, is hereby authorized to pay all costs and damages and other expenses necessary therefor out of the county treasury, and such proceedings shall be had in the county or counties where said dam or dams are located.

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1. Introduced by Mr. Secrest, January 24, 1891, and ordered to first reading.
  2. First reading January 24, 1891, and referred to Committee on Judiciary.
  3. Reported back March 25, 1891, passage recommended, and ordered to second reading.
- 

WHEREAS, ample facilities for drainage have come to be recognized as  
2 essential to the health and prosperity of our people; and whereas, it is the  
3 duty of our law making powers to provide such facilities, therefore

---

## A BILL

For an act to enable counties to purchase or condemn any dam or dams on any  
of the streams in this State for the purpose of removing them to facilitate  
drainage.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That whenever any county in this State shall be  
3 so situated on or near any stream of water in this State, and there be any  
4 dam or dams on said stream, either within or without said county, that  
5 obstructs the flow of water of said stream and thereby, in whole or in part,  
6 obstructs the drainage of lands in said county, it shall be lawful for the  
7 authorities of said county to contract with the owner or owners of said  
8 dam or dams for the removal thereof if they can agree on the price or  
9 value thereof, which sum shall be paid out of the county treasury, and if  
10 said parties cannot agree on the value of said dam or dams, then said county  
11 authorities may acquire the same by condemnation under the act for exer-  
12 cising the right of eminent domain.

§ 2. Any county in this State, for the purpose of carrying out the provisions of this act, is hereby authorized to pay all costs and damages and other expenses necessary therefor out of the county treasury; and such proceedings shall be had in the county or counties where said dam or dams are located.

1. Introduced by Mr. Secrest, January 24, 1891, and ordered to first reading.
2. First reading January 24, 1891, and referred to Committee on Judiciary.
3. Reported back March 25, 1891, passage recommended and ordered to second reading.
4. Second reading April 2, 1891, amended, and ordered to third reading.

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## A BILL

For an act to enable counties to purchase or condemn any dam or dams on any of the streams in this State for the purpose of removing them to facilitate drainage.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any county in this State shall be so situated on or near any stream of water in this State, and there be any dam or dams on said stream, either within or without said county, that obstructs the flow of water of said stream and thereby, in whole or in part, obstructs the drainage of lands in said county, it shall be lawful for the authorities of said county to contract with the owner or owners of said dam or dams for the removal thereof if they can agree on the price or value thereof, which sum shall be paid out of the county treasury, and if said parties cannot agree on the value of said dam or dams, then said county authorities may acquire the same by condemnation under the act for exercising the right of eminent domain: *Provided,* the county shall be liable to all persons injured for all damages caused by such removal either to their property or business.

§ 2. Any county in this State, for the purpose of carrying out the provisions of this act, is hereby authorized to pay all costs and damages and other expenses necessary therefor, out of the county treasury, and such proceedings shall be had in the county or counties where said dam or dams are located.

1. Introduced by Mr. Secrest January 24, 1891, and ordered to first reading.
2. First reading January 24, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back February 25, 1891, and ordered to be printed for the committee.

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## A BILL

For an act placing under the control of the Railroad and Warehouse Commissioners all stock yards in this State, and making it their duty to classify the same and fix reasonable maximum rates of charges for the transportation, feed and care of live stock therein, brought or held for sale, and to make schedules of such rates so fixed evidence, and to prevent extortion and discrimination and to provide for penalties and their recovery for the violation of this act.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all stock yards for the reception and care of live stock, for the purpose of placing the same on sale, now organized under any general or special law of this State or that may hereafter be organized, shall be and are hereby placed under the control of the Railroad and Warehouse Commissioners for the purpose as hereinafter provided.

2. The Railroad and Warehouse Commissioners are hereby directed to classify the stock yards of this State and to make for each stock yard corporation doing business in this State, as soon as practicable, a schedule of reasonable maximum rates and charges for the transportation, receiving, handling, storing, yarding, feeding and the carrying of any live stock by

50 such corporation, and such schedules shall, in all suits brought against  
 7 such stock yards corporation wherein there is anything involved as to the  
 8 charges of such stock yard corporation for the transportation, receiving,  
 9 handling, storing, yarding, feeding or carrying any live stock or unjust  
 10 discrimination in relation thereto, be deemed and taken in all courts of  
 11 this State as *prima fa ia* evidence that the rates therein fixed are reason-  
 12 able maximum rates of charges for the transportation, receiving, handling,  
 13 storing, yardage, feeding or carrying of any such live stock by such stock  
 14 yard corporation for which said schedules may have been respectively  
 15 prepared. Said commissioners shall, from time to time, as often as circum-  
 16 stances may require, change and revise said schedule. When any such  
 17 schedule shall have been made, changed or revised as aforesaid, it shall  
 18 be the duty of said commissioners to have the same printed by the State  
 19 Printer, under the contract for State Printing, and said commissioners shall  
 20 furnish two (2) copies of the same to the President, General Superintendent  
 21 Secretary or person managing such stock yard corporation doing business  
 22 in this State. All such schedules hereafter made shall be received and  
 23 held in all suits as *prima facia* as schedules of such commissioners,  
 24 without further proof than the production of the schedules desired to  
 25 be used as evidence, with a certificate of the Railroad and Warehouse  
 26 Commissioners that the same is a true copy of a schedule prepared by  
 27 them for the stock yard company or corporation therein named. Said Rail-  
 28 road and Warehouse Commissioners shall have access to all books and papers  
 29 of said stock yard companies for the purpose of making such classification  
 30 and establishing rates of charges.

§ 3. If any such corporation shall, in reference to stock yards aforesaid,  
 2 make any discrimination in its rates, or charges of toll or compensation  
 3 for the transportation of freight or live stock, or for receiving, yarding,  
 4 handling, feeding, furnishing feed or carrying any stock, or for doing  
 5 anything in relation to the feed and care of live stock by reason of the



6 powers given such corporation by the act of incorporation thereof,  
 7 the same shall be deemed guilty of violating the provisions of this act,  
 8 and upon conviction thereof shall be dealt with as hereinafter provided.

§ 4. Any stock yard company doing business in this State, incorporated  
 2 under the laws of this State, shall not receive any greater sum for yardage,  
 3 receiving, handling, storing, feeding, or carrying of the same than the  
 4 maximum rates which shall be fixed in the schedules of the Railroad and  
 5 Warehouse Commissioners, and the charging or receiving by any such com-  
 6 pany of any greater rates therefor than those fixed in said schedules, shall  
 7 be deemed extortionate charges.

§ 5. If any such corporation with reference to stock yards shall furnish  
 2 inferior or unsuitable feed or drink, or shall neglect any live stock  
 3 entrusted to its care, or shall fail or neglect to suitably or properly care  
 4 for any such live stock, or shall furnish a less amount or inferior quality  
 5 of food to such live stock than represented, contracted or charged for,  
 6 such corporation shall be deemed guilty of a misdemeanor, and upon con-  
 7 viction thereof shall be fined as hereinafter provided in this act.

§ 6. Any such stock yard corporation guilty of a violation of any of the  
 2 foregoing provisions of this act shall be fined in a sum not less than one  
 3 hundred dollars (\$100) nor more than five hundred dollars (\$500) for each  
 4 and every offense, to be recovered in an action of debt in the name of the  
 5 People of the State of Illinois: *Provided*, that in all cases under this  
 6 act, either party shall have the right to a trial by jury: *Provided further*,  
 7 that any number of counts may be joined in one declaration as to  
 8 extortion or unjust discrimination or the violation of any of the provisions  
 9 of this act.

§ 7. If any such stock yard company shall, in violation of any provision  
 2 of this act, ask, demand, charge or receive from any person or corporation  
 3 any extortionate charges for the yardage, receiving, handling, storing,  
 4 feeding or carrying of any live stock, or shall make any unjust discrimi-

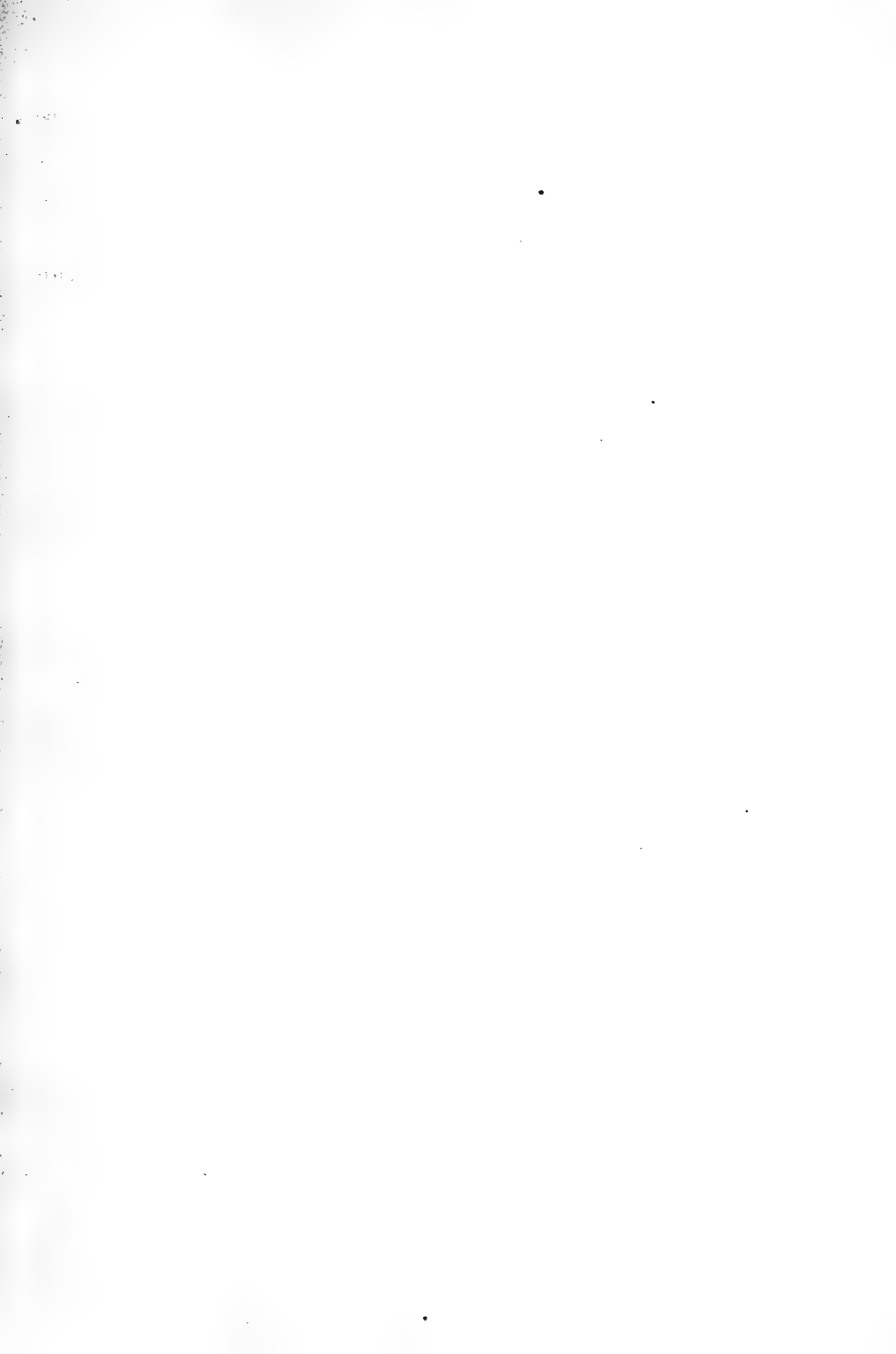
5 nation against any person or corporation so offended against, may recover  
 6 against such stock yard corporation in an action of debt three times the  
 7 amount of the damages sustained by the party aggrieved, together with  
 8 costs of suit and a reasonable attorney's fee, to be fixed by the court  
 9 where the same is heard, on appeal or otherwise, to be taxed as part of  
 10 the costs of the case: *Provided*, such suit shall be brought within sixty (60)  
 11 days after the right of action has accrued.

§ 8. It shall be the duty of the Railroad and Warehouse Commissioners  
 2 to personally investigate and ascertain whether the provisions of this act  
 3 are violated by any stock yard corporation in this State, and to visit the  
 4 various stock yards for that purpose as often as practicable, and whenever  
 5 the fact is in any manner ascertained by said commissioners, shall in their  
 6 judgment warrant such prosecution, it shall be duty of said commissioners  
 7 to immediately cause suit to be commenced and prosecuted against any  
 8 stock yard corporation which may violate the provisions of this act. Such  
 9 suits and prosecutions may be instituted in any county in this State where  
 10 such stock yards are situated.

§ 9. It shall be duty of the State's Attorney of any county in this State,  
 2 upon request of the Railroad and Warehouse Commissioners, to commence  
 3 and prosecute any violation for the penalties fixed in section six (6) of this  
 4 act.

§ 10. In all cases under the provisions of this act the rules of evidence  
 2 shall be the same as in other civil actions, except as hereinabove otherwise  
 3 provided. All fines recovered under the provisions of this act shall be paid  
 4 into the county treasury of the county in which the suit is tried, by the  
 5 person collecting the same in the manner now provided by law, to be used  
 6 for county purposes. Suits commenced under the provisions of this act  
 7 shall have precedence over all other business, except criminal business, and  
 8 prosecutions for extortion and unjust discrimination by railroads and ware-  
 9 housemen.

§ 11. The term stock yard corporation contained in this act shall be  
2 deemed and taken to mean all corporations, companies or individuals now  
3 owning or operating, or which may hereafter own or operate, any stock  
4 yard in this State, and the provisions of this act shall apply to all persons,  
5 firms and companies, and all associations of persons, whether incorporated  
6 or otherwise, that shall do the business of stock yards.



1. Introduced by Mr. Caldwell January 26, 1891, and ordered to first reading.
  2. First reading January 26, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
  3. Reported back February 25, 1891, and ordered to be printed for Committee.
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## A BILL

For an act in reference to stock yards, to regulate their charges for yardage, freight, grain, hay and other articles furnished, and to prevent extortion and unjust discrimination in the management thereof, and to provide for charges for transportation.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That if any corporation organized or doing business in this State, under any act of incorporation or general law now in force, or which may hereafter be enacted, in reference to stock yards, shall charge, collect, demand or receive, more than is allowed by this act, or more than a fair and reasonable rate of toll or compensation, for the transportation of any freight of any description, or live stock, or for the use and transportation of any car upon its track, or any of the branches thereof, or for receiving, handling or delivering any freight or live stock, or for feeding, weighing, carrying, yardage and watering, hay or grain furnished, and anything done by reason of the powers given such corporation, by the act of incorporation thereof, the same shall be deemed guilty of extortion, and upon conviction thereof shall be fined in any sum not less than one hundred (\$100) dollars, nor more than five hundred (\$500) dollars for the first offence, and for a second offence not less than three hun-

16 dred (\$300) dollars, nor more than one thousand (\$1,000) dollars: *Provided,*  
17 that in all cases under this act either party shall have the right of trial  
18 by jury.

§ 2. If any such corporation shall, in reference to stock yards aforesaid,  
2 make any unjust discrimination in its rates or charges of toll, or compensa-  
3 sation for the transportation of freight or live stock, or for receiving, hand-  
4 ling, feeding, furnishing feed or carrying any stock, or for doing anything,  
5 by reason of the powers given such corporation, by act of incorporation, the  
6 same shall be deemed guilty of having violated the provisions of this act,  
7 and upon conviction thereof shall be dealt with as provided in the fore-  
8 ing section.

§ 3. If any such corporation in reference to stock yards, shall charge,  
2 collect or receive of, or from any person or corporation, for the transporta-  
3 tion of freight or live stock, or for receiving, handling, storing, yardage,  
4 feeding or carrying the same, or for doing anything by reason of the  
5 powers given such corporation, by act of incorporation, a greater amount of  
6 toll or compensation or fees than is at the same time charged, collected or  
7 received from any other person or corporation, for the same or like service,  
8 all such discriminating rates, charges, collections or receipts, whether made  
9 directly or by means of any rebate, drawback or other shift or evasion  
10 shall be deemed and taken against such corporation in reference to stock  
11 yards as conclusive evidence of unjust discrimination.

§ 4. Any stock yard doing business in this State incorporated under the  
2 laws of this State shall not have or receive for yardage more than fifteen  
3 (15) cents per head for horses, cattle and mules, five (5) cents per head for  
4 hogs and sheep, nor more than seventy-five (75) per centum additional to  
5 the current market wholesale price for hay, straw, corn or other articles  
6 supplied by them for sustenance of such animals, and that such sales shall  
7 be made by actual weights or measurements, unless otherwise agreed upon.

§ 5. It shall not be lawful for any corporation in this State doing business

2 as a stock yard, to prohibit any person or persons, or their agents from sell-  
 3 ing dead animals to any establishment engaged in rendering the same, and  
 4 for that purpose the owner of any such establishment shall have the  
 5 privilege of entering said yards and removing any dead animal therefrom,  
 6 subject, however, to any reasonable rules which said corporation may adopt  
 7 for the sanitary regulation of said yards: *Provided*, that in so doing they  
 8 shall not violate any ordinance of any town, city or village, where said  
 9 stock yards may be situated; and for a violation of this section said cor-  
 10 poration shall be liable to the penalties provided in section one of this act.

§ 6. The fines hereinbefore provided for may be recovered in an action of  
 2 debt, in the name of the People of the State of Illinois, and there may be  
 3 several counts joined in the same declaration as to extortion and to unjust  
 4 discrimination. If, upon trial of any cause instituted under this act, the  
 5 jury shall find for the people, they shall assess and return with their  
 6 verdict the amount of the fine to be imposed upon the defendant at any  
 7 sum as hereinbefore provided, and the court shall render judgment accord-  
 8 ingly; and if the jury shall find for the people, and that the defendant has  
 9 been before convicted one or more times of the violation of the provisions  
 10 of this act, they shall return such finding with their verdict, and shall  
 11 assess and return with their verdict the amount of the fine to be imposed  
 12 upon the defendant, as provided in the first section of this act; and the  
 13 court shall render judgment accordingly.

§ 7. If any such corporation in reference to stock yards shall, in viola-  
 2 tion of any of the provisions of this act, ask, demand, charge or receive  
 3 of any person or corporation any extortionate charge or charges for the  
 4 transportation of any car, or property, or live stock, or for receiving,  
 5 handling, transferring, feeding, storing or delivering any freights or live  
 6 stock, or shall make any unjust discrimination against any person or cor-  
 7 poration in its charges therefor, or furnish inferior, unsuitable, or insuffi-  
 8 cient food or drink to any live stock intrusted to its care, or shall fail or

9 neglect to suitably or properly care for any such live stock, or shall furnish  
 10 a less amount or inferior quality of food to such live stock than repre-  
 11 sented, contracted or charged for, the person or corporation so offended  
 12 against, or owning such live stock, or to whom the same may be consigned  
 13 may, for each offense, recover of such corporation in reference to stock  
 14 yards, in any form of action, three times of the amount of damages sus-  
 15 tained by the party aggrieved, together with costs of suit and a reasonable  
 16 attorney's fee, to be fixed by the court where the same is heard, on appeal  
 17 or otherwise, and taxed as a part of the costs of the case.

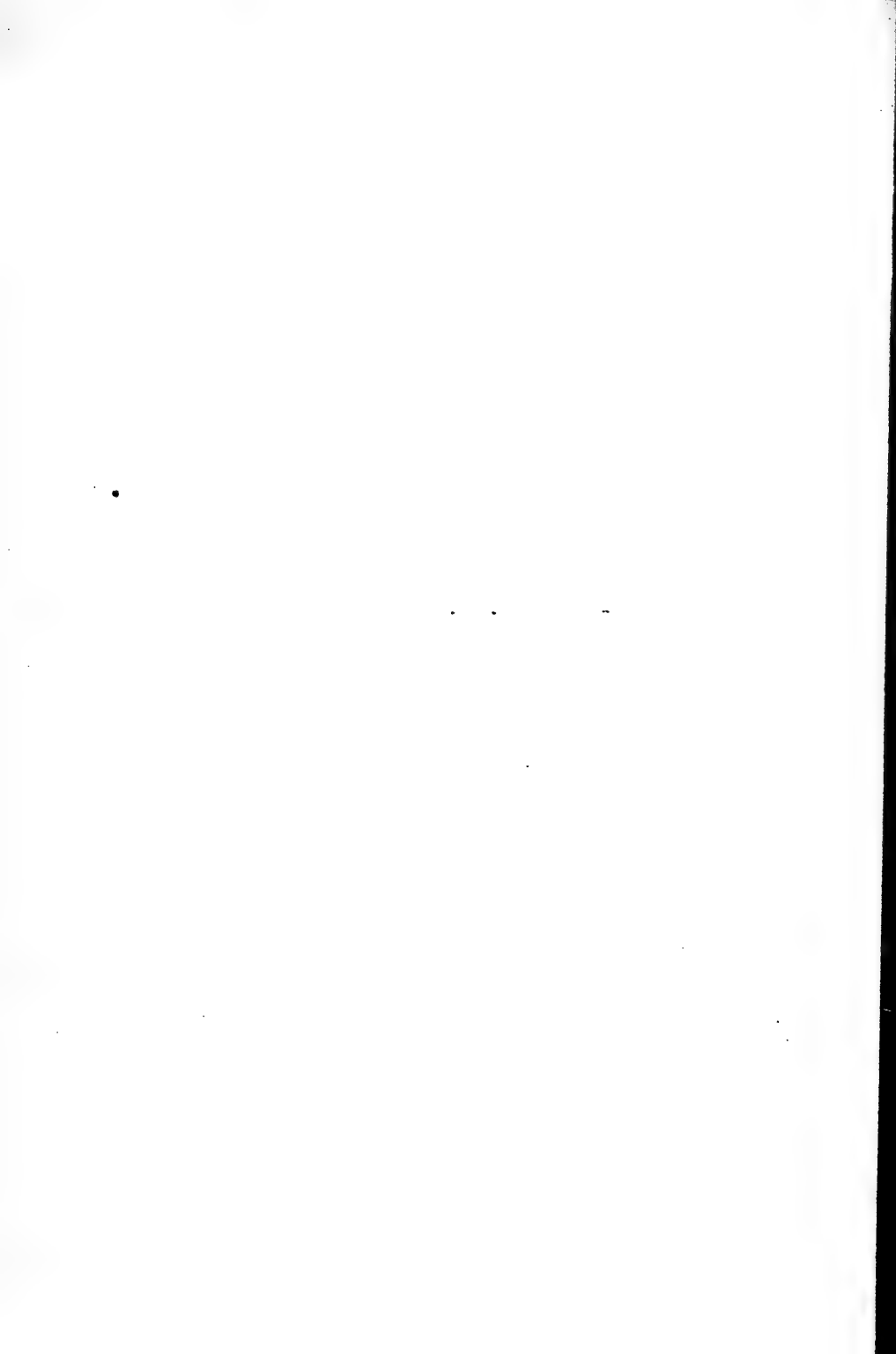
§ 8. If any such corporation in reference to stock yards shall furnish in-  
 2 ferior, unsuitable or insufficient food or drink to any live stock intrusted to  
 3 its care, or shall neglect or fail to suitably and properly care for any such  
 4 live stock intrusted to its care, or shall neglect or fail to suitably and  
 5 properly care for any such live stock, or shall furnish a less amount or  
 6 inferior quality of food to such live stock than represented, contracted or  
 7 charged for the same, shall be deemed guilty of a misdemeanor, and, upon  
 8 conviction thereof shall be fined as provided in section one of this act.

§ 9. It shall be the duty of the Railroad and Warehouse Commissioners  
 2 to personally investigate and ascertain whether the provisions of this act  
 3 are violated by any corporation in this State in reference to stock yards,  
 4 and to visit the various stock yards incorporated under any law of this  
 5 State for that purpose, as often as practicable; and whenever the facts  
 6 in any manner ascertained by said commission shall, in their judgment,  
 7 warrant such prosecution, it shall be the duty of such commission to imme-  
 8 diately cause suits to be commenced and prosecuted against any such cor-  
 9 poration which may violate the provisions of this act. Such suits and pros-  
 10 ecutions shall be instituted in the county where such stock yards are  
 11 located, and such Railroad and Warehouse Commission are hereby author-  
 12 ized, when the facts of the case presented to them shall, in their judgment,  
 13 warrant the commencement of such action, to employ counsel to assist the



14 Attorney General in conducting such suits on behalf of the State. No  
15 such suits commenced by said Railroad and Warehouse Commission shall be  
16 dismissed, except the said commission and the Attorney General shall con-  
17 sent thereto.

2 § 10. In all cases under the provisions of this act the rules of evidence  
3 shall be the same as in other civil actions, except as hereinbefore otherwise  
4 provided. One-half of all fines received under the provisions of this act  
5 shall be paid into the State treasury for the benefit of the State, and one-  
6 half to be paid to the person or persons making the complainant. Nothing  
7 in this act shall be construed to prohibit the State's Attorney of any county  
8 in which the provisions hereof may be violated from commencing and con-  
ducting prosecutions.



1. Introduced by Mr. Coppinger, January 26, 1891, and ordered to first reading.
2. First reading January 26, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 5, that it "do not pass." Report not concurred in, and the bill was ordered to a second reading and to be printed.

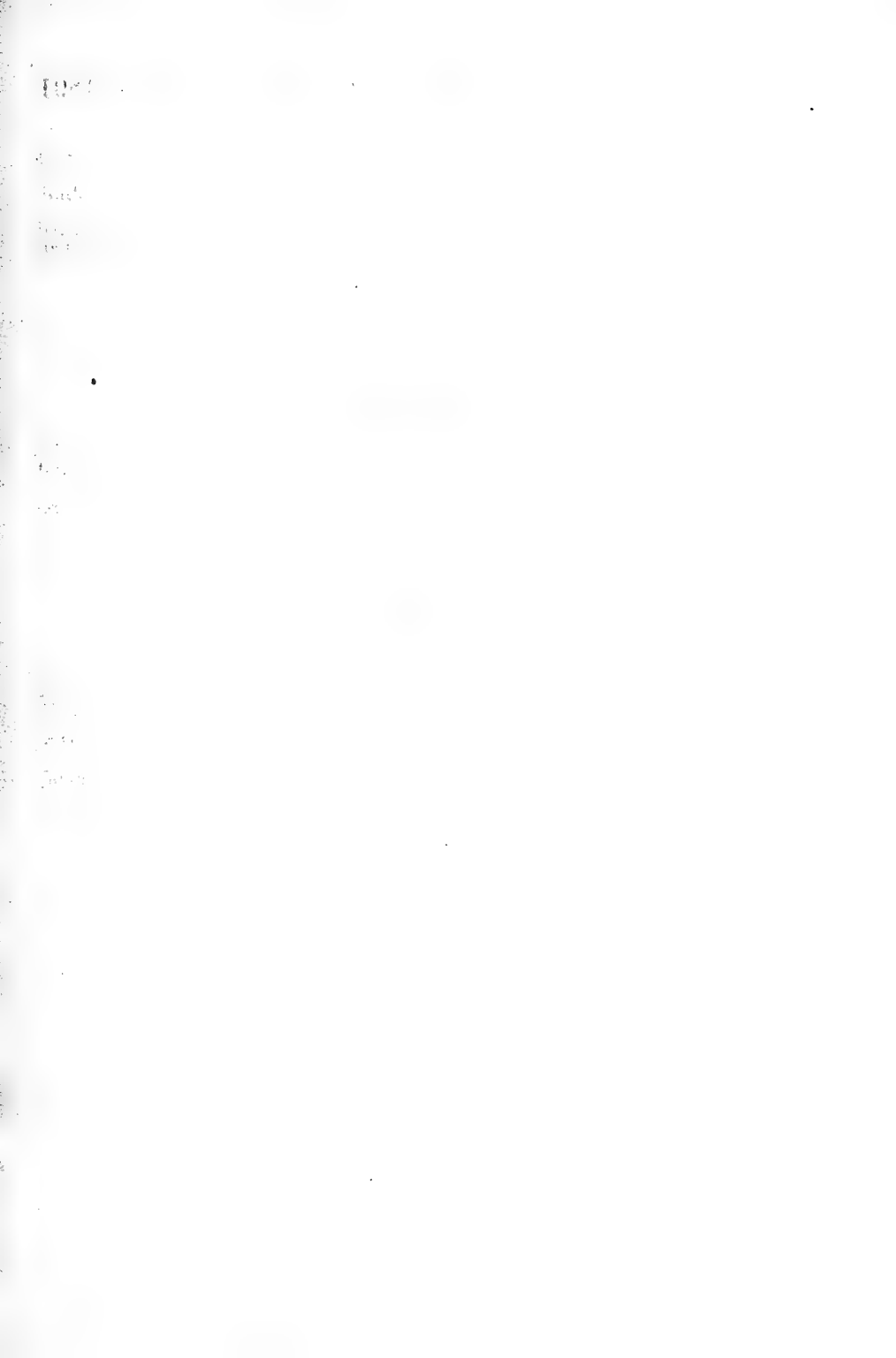
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## A BILL

For an act to repeal an act entitled "An act to further define conspiracy and to punish the same and crimes committed in pursuance thereof, and relating to the rule of evidence therein.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That an act entitled "An act to further define conspiracy and to punish the same and crimes committed in pursuance thereof, and relating to the rule of evidence therein," approved June 16, 1887, be and the same is hereby repealed.



1. Introduced by Mr. Karraker January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back March 25, and ordered to be printed for use of Committee.

## A BILL

For an act to amend section five of an act entitled "An act to revise the law in relation to the commitment and detention of lunatics," approved March 21, 1874, in force July 1, 1874, as amended by an act approved June 15, 1887, in force July 1, 1887, and also by adding thereto sections to be known as sections 31 and 32.

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section five of an act entitled an act to re-  
 3 vise the law in relation to the commitment and detention of lunatics," ap-  
 4 proved March 21, 1874, in force July 1, 1874, as amended by an act approved  
 5 June 15, 1887, in force July 1, 1887, and also by adding thereto sections to  
 6 be known as sections thirty-one and thirty-two.

Section 5. Verdict. Form. After hearing the evidence the jury shall  
 2 render their verdict in writing, signed by them, which shall embody the  
 3 substantial facts shown by the evidence, which verdict may be substan-  
 4 tially in the following form:

5 State of Illinois,                    )  
 6    ) ss.  
   County, )

7 We, the undersigned, jurors in the case of ..... (naming the

8 person alleged to be insane), having heard the evidence in the case, are  
 9 satisfied that said ..... is insane, and is a fit person to be sent  
 10 to a State hospital for the insane, that he is a resident of the State of Illi-  
 11 nois and county of .....; that his age is .....; that his disease  
 12 is of ..... duration; that the cause is supposed to be ..... (or  
 13 is unknown); that the disease is (or is not) with high hereditary, that he is  
 14 not (or is) subject to epilepsy, and that he does (or does not) manifest homi-  
 15 cidal or suicidal tendencies.

§ 31. Upon the trial of the person reputed to be insane the court shall  
 2 shall hear evidence and determine whether such person is a pauper or  
 3 not a pauper, and who, if any one, is liable to pay his board, as provided  
 4 in section thirty-two of this act in the order therein named. The county  
 5 clerk shall, within ten days from such trial, mail a notice of the finding of  
 6 the court to the person so liable, giving the name of the insane person, the  
 7 amount to be paid and the time when and the person to whom such pay-  
 8 ment must be made.

§ 32. If the person adjudged to be insane is not a pauper then his guar-  
 2 dian or conservator, if they have sufficient property of such insane person,  
 3 or if the guardian or conservator has not sufficient property, then his  
 4 children if they have sufficient property, and if there be none with sufficient  
 5 property then his parents if they have sufficient property, and if there be  
 6 no children or parents having sufficient property then his brothers and  
 7 sisters if they have sufficient property shall in the order above named  
 8 become liable to the People of the State of Illinois for the board of such  
 9 insane person in the hospital to which he is committed, in the sum of one  
 10 dollar per week payable quarterly to the county clerk of the county com-  
 11 mitting such insane person. The county clerk shall keep a record of all  
 12 payments made to him and transmit the same without delay to the treasurer  
 13 of the hospital to which such insane person was committed, and the treasurer  
 14 shall receipt therefor, which receipt shall be filed by the clerk with the

15 files in that cause. In case the person or persons so liable shall fail or  
16 refuse to make such payment at the time and in the manner herein provided,  
17 the county clerk shall render a statement so the State's attorney of such  
18 county, giving the name of the insane person, the amount due and the  
19 name of the person liable therefor. Upon receipt of such statement the  
20 State's attorney shall without delay institute suit in the name of the  
21 People of the State of Illinois against the person so liable, in an action of  
22 debt in any court having jurisdiction to try said cause. It shall be a  
23 complete defense to such action that the derendant has no property above  
24 his lawful exemption, or that he is not of kin to the insane person in such  
25 a degree as to render him liable under this act, or that another person  
26 made liable for the payment of such sum before him has a sufficient  
27 property to pay the same, or that he has paid such sum. In case judgment  
28 be for the plaintiff, a State's attorney fee of five dollars shall be taxed as  
29 costs in the case, and execution shall issue and appeals lie as is now pro-  
30 vided in suits at law. When the judgment is collected the State's attorney  
31 shall pay the same to the county clerk. If judgment be for the defendant  
32 and it appears that such sum has not been paid then the State's attorney  
33 may institute suit against any other person herein made liable, without a  
34 previous finding as to liability by the court, or notice from the clerk.

§ 33. All acts and parts of acts in conflict herewith be and the same are  
2 hereby repealed.





1. Introduced by Mr. Sheets, January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Penal and Reformatory Institutions.
3. Called back January 28 and ordered to be printed for the use of Senate.

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## A BILL

For an act to establish the Illinois State reformatory.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That from and after the first day of July, 1891, the  
3 Illinois Reform School at Pontiac shall be known as the Illinois State re-  
4 formatory.

§ 2. The Governor shall, with the advice and consent of the Senate, ap-  
2 point five citizens of the State of Illinois, who shall constitute a board of  
3 managers of said reformatory. Not more than three of said managers shall  
4 be appointed from the same political party. They shall hold their offices  
5 respectively for the term of ten years, except, on the first organization of the  
6 board, it shall be provided by lot that the terms of members shall termi-  
7 nate respectively at the end of two, four, six, eight and ten years, and they  
8 shall be so classified that the terms of the original appointees shall expire  
9 every second year. Whenever vacancies shall occur in the said board of  
10 managers, such vacancies, for the unexpired terms thereof, shall be filled by  
11 the appointment of the Governor, in such manner that the principle of ro-  
12 tation aforesaid shall be maintained. The Governor may remove any of the  
13 managers for misconduct, incompetency, or neglect of duty, after oppor-  
14 tunity shall be given him or them to be heard upon written charges.

§ 3. The board of managers shall, when appointed as aforesaid, have the charge and management of the said reformatory. They shall appoint a general superintendent, chaplain, and physician, and shall have power to remove them for causes impairing their faithful and intelligent administration of their office, after opportunity shall be given to the officer so charged to be heard upon written charges. All other officers and employees shall be appointed and selected by the general superintendent and shall be removable at his pleasure, and all such subordinate officers shall be appointed only after rigid examination as to their education, trade, knowledge, moral character and fitness for the care and custody of those persons who may be sentenced to imprisonment in said reformatory. The annual compensation of the general superintendent, the several officers and other employees shall be fixed by the board of managers in their discretion, and said managers are hereby forbidden to solicit, or request, or in any way interfere with any appointment of any subordinate.

§ 4. The members of the board, before entering upon the duties of their office, shall each take and subscribe to the oath of office required by the Constitution. Three of the managers shall constitute a quorum to do business at any regular or properly called special meeting of said board.

§ 5. The board shall elect of their own number, a president and vice president, whose term of office shall be for two years, and until their successors shall be duly elected and qualified. They shall also elect a treasurer, not one of their own number, whose term of office shall be for two years and until his successor is duly elected and qualified, and who shall, at all times, be subject to removal by vote of a majority of the managers for any cause impairing the faithful and intelligent administration of his office, after opportunity shall be given him to be heard upon written charges.

§ 6. The board of managers shall examine all accounts and expenditures, with the vouchers for the same, relating to the business of the reforma-

3 tory, at least once each quarter year, and shall certify the same, with their  
 4 approval or disapproval, to the Governor. And they shall, on or before the  
 5 first day of December in each year, report to the Legislature, through the  
 6 Governor, the condition of the said reformatory, their proceedings in regard  
 7 to inmates, with a detailed statement of all moneys expended, together with  
 8 such recommendations as they shall deem proper. Special meetings of the  
 9 board may be held when the exigencies of the institution demand the same,  
 10 upon the call of the president, or otherwise, as the board may prescribe.

§ 7. Each member of the board shall be allowed ten cents per mile for  
 2 every mile traveled, going and returning, while on necessary business of  
 3 the reformatory, but no other fee, allowance or perquisite whatever.

§ 8. The treasurer, before entering upon the duties of his office, shall  
 2 execute a bond to the people of the State of Illinois, with sureties, to be  
 3 approved by the board, in at least double the sum of money for which he  
 4 may be responsible as treasurer, conditioned for the faithful performance of  
 5 all his duties as such treasurer. He shall take charge of all of the funds  
 6 of the institution, receiving the same and disbursing them on the written  
 7 order of the secretary, countersigned by the president, and shall account to  
 8 the board, in such manner as they may require, for all funds entrusted to  
 9 him from whatever source. His books shall at all times be open to the in-  
 10 spection of the board, who shall, at least once in every six months, care-  
 11 fully examine the same, and all the accounts, vouchers and documents con-  
 12 nected therewith, and make a record of the result of such examination.

§ 9. The general superintendent, before entering upon the duties of his  
 2 office, shall execute a bond to the people of the State of Illinois, with sure-  
 3 ties, to be approved by the board, in a sum to be fixed by the board, con-  
 4 ditioned for the faithful performance of all his duties as such General  
 5 superintendent. He shall reside at the institution, and shall be (ex-officio)  
 6 the secretary of the board, taking charge of all of its books and papers.  
 7 He shall have charge of the land, buildings, furniture, apparatus, tools,

8 stock, provisions, and every other species of property belonging to the insti-  
 9 tution, and shall account to the board in such manner as they may require  
 10 for all the property entrusted to him; and all moneys received by him  
 11 from whatever source, shall be deposited with the treasurer. His books  
 12 shall at all times be open to the inspection of the board, who shall, at least  
 13 once in every three months, carefully examine the same, and all accounts,  
 14 vouchers and documents connected therewith, and make a record of the  
 15 result of such examination in a book provided for the purpose. He shall  
 16 have charge of the inmates of the institution: shall discipline, govern, in-  
 17 struct, employ and use his best efforts to reform them, and shall, at all  
 18 times, be subject to removal by the board for incapacity, cruelty, negligence,  
 19 immorality, or other good cause, shown after due investigation: *Provided*,  
 20 full opportunity shall be given him to be heard upon written charges.

§ 10. The inmates of the reformatory shall be divided into two divisions  
 2 or departments; the first to include males between the ages of ten and six-  
 3 teen years, the second to include males between the ages of sixteen and  
 4 thirty years, who may be sentenced to said reformatory as hereinafter pro-  
 5 vided.

§ 11. Whenever any boy between the ages of ten and sixteen years is con-  
 2 victed before any court of competent jurisdiction, of any crime, which, if  
 3 committed by an adult, would be punishable by imprisonment in the county  
 4 jail or penitentiary, such juvenile offender shall be committed by order of  
 5 such court to said reformatory for a term not less than one year nor more  
 6 than the maximum provided by law for such crime: *Provided*, that  
 7 when the crime is punishable by imprisonment in the county jail, the court  
 8 may, in the exercise of its discretion, commit such offender to the county  
 9 jail for the term authorized by law for the punishment of the offense of  
 10 which the offender is convicted: *And provided, further*, that nothing in this  
 11 act shall be construed to debar any court from punishing for any capital  
 12 offense in such manner as is or may be provided by law.

§ 12. Any court in this State exercising criminal jurisdiction, may sentence to said reformatory any male criminal between the ages of sixteen and thirty years not shown to have been previously sentenced to a penitentiary in this or any other State or country, upon the conviction in such court, of such male person of a crime punishable under existing laws in a penitentiary. And the said board of managers shall receive and take into said reformatory all male prisoners of the class aforesaid, who may be legally sentenced on conviction as aforesaid; and all existing laws requiring the courts of this State to sentence to the penitentiary male prisoners convicted of any criminal offense between the ages of sixteen and thirty years, and not shown to have been previously sentenced to a State prison in this or any other State or country, shall be applicable to the said reformatory so far as to enable courts to sentence the class of prisoners so last defined to said reformatory and not to a penitentiary.

§ 13. Every sentence to the reformatory, of a person hereafter convicted of a felony or other crime, shall be a general sentence to imprisonment in the Illinois State reformatory, and the courts of this State imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted and sentenced shall be terminated by the board of managers of the reformatory, as authorized by this act; but such imprisonment shall not exceed the maximum term or be less than the minimum term provided by law, for the crime for which the prisoner was convicted and sentenced.

§ 14. The clerk of each court that sentences a criminal to said reformatory shall furnish to the general superintendent thereof, together with the commitment of said criminal, a record containing a copy of the indictment or information filed in the case, the name and residence of the judge presiding at the trial, also of the jurors and witnesses sworn at the trial, with a statement of any fact or facts which the presiding judge may deem important or necessary for the full comprehension of the case; and said clerk

8 shall receive such compensation as is now allowed by law for making and  
9 certifying to the record, as in other criminal cases.

§ 15. The board of managers shall have the power to transfer temporarily  
2 to the penitentiary of the proper district any prisoner who, subsequent to  
3 his committal, shall be shown to their satisfaction to have been, at the time  
4 of his conviction, more than thirty years of age, or to have been previously  
5 convicted of crime; and may also so transfer any apparently incorrigible  
6 prisoner, whose presence in the reformatory appears to be seriously detri-  
7 mental to the well being of the institution. And such managers may, by  
8 written requisition, require the return to the reformatory of any person who  
9 may have been so transferred. Each prisoner so transferred to the peni-  
10 tentiary, shall be held therein at hard labor, and subject to all the rules  
11 and discipline of said penitentiary, for the full maximum term provided by  
12 law for the crime of which he was convicted, unless recalled to the refor-  
13 matory, as herein provided, by the board of managers.

§ 16. The said board of managers shall have power to establish rules and  
2 regulations under which prisoners within the reformatory may be allowed  
3 to go upon parole outside of the reformatory building and enclosure, but to  
4 remain while on parole in the legal custody and under control of the board  
5 of managers and subject at any time to be taken back within the enclosure  
6 of said reformatory; and full power to enforce such rules and regulations  
7 and to retake and reimprison any inmate so upon parole, is hereby conferred  
8 upon said board, whose order, certified by its secretary and signed by its  
9 president, with the seal of the reformatory attached thereto, shall be a  
10 sufficient warrant for the officer named in it, to authorize such officer to  
11 return to actual custody any conditionally released or paroled prisoner, and  
12 it is hereby made the duty of all officers to execute said order the same as  
13 ordinary criminal process: *Provided*, that no prisoner shall be released on  
14 parole until a contract for his employment for at least six months in some  
15 suitable occupation has been made and filed with said board of managers.

§ 17. It shall be the duty of said board of managers to adopt such rules concerning all prisoners committed to their custody, as shall prevent them from returning to criminal courses, best secure their self-support, and accomplish their reformation. When any prisoner shall be received into said reformatory, the general superintendent shall cause to be entered in a register, the date of such admission, the name, age, nativity, nationality, with such other facts as can be ascertained of parentage, education, occupation and early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and based upon these, an estimate of the then present condition of the prisoner, and the best probably plan of treatment. And the physician of said reformatory shall carefully examine each prisoner when received, and shall enter in a register to be kept by him, the name, nationality or race, the weight, stature and family history of each prisoner, also a statement of the condition of the heart, lungs and other leading organs, the rate of the pulse and respiration, the measurement of the chest and abdomen, and any existing disease or deformity, or other disability acquired or inherited. Upon the general superintendent's register shall be entered, from time to time, minutes of observed improvement or deterioration of character, and notes as to methods and treatment employed; also, all alterations affecting the standing or situation of such prisoner, and any subsequent facts or personal history which may be brought, officially, to his knowledge, bearing upon the question of the parole or final release of said prisoner. And it is hereby provided that if any prisoner on parole shall violate the conditions of his parole or conditional release, (by whatever name, as affixed by the managers, he shall, by a formal order, entered in the manager's proceedings, be declared a delinquent, and shall thereafter be treated as an escaped prisoner owing service to the State, and shall be liable, when arrested, to serve out the unexpired term of his maximum possible imprisonment, and the time from the date of his declared delinquency to the date of his arrest shall not be counted as

31 any part or portion of time served. And any prisoner at large upon parole  
32 or conditional release, who shall commit a fresh crime, and upon conviction  
33 thereof, shall be sentenced anew to the reformatory or the penitentiary,  
34 shall be subject to serve the second sentence, after the first sentence is  
35 served or annulled, said second sentence to commence from date of termi-  
36 nation of his liabilities upon the first or former sentence.

§ 18. It shall be the duty of the general superintendent to keep in com-  
2 munication, as far as possible, with all prisoners who are on parole, and  
3 when, in his opinion, any prisoner, who has served not less than six  
4 months of his parole acceptably, has given such evidence as is deemed  
5 reliable and trustworthy that he will remain at liberty without violating  
6 the law, and that his final release is not incompatible with the welfare of  
7 society, the general superintendent shall make certificate to that effect to  
8 the board of managers, and after written notice to all the managers, the  
9 board shall, at the next meeting thereafter, consider the case of the pris-  
10 oner so presented, and when said board shall decide that said prisoner is  
11 entitled to his final discharge, said board shall cause a record of the case  
12 of said prisoner to be made, showing the date of his commitment to the  
13 Reformatory, his record while detained therein, the date of his parole, his  
14 record while on parole, and their reason for recommending his final dis-  
15 charge. Said record shall be signed by the managers and attested by the  
16 secretary with the seal of the reformatory and sent to the judge of the  
17 court that sentenced said prisoner to the reformatory. Said judge shall  
18 thereupon consult the State's attorney, and if it shall appear that no  
19 reason for further detention exists, he shall enter an order for the final  
20 discharge of said prisoner from further liability under his sentence. The  
21 clerk shall send a copy of said order, duly certified, to the general super-  
22 intendent, who shall enter the same in the proper record, and furnish said  
23 prisoner with a certified copy thereof. Said order shall constitute a full  
24 discharge of said prisoner from further liability under his sentence. But



25 no petition or other form of application for either the parole or final  
 26 release of any prisoner shall be entertained by the general superintendent  
 27 or board of managers. Nothing in this act shall be construed as impairing  
 28 the power of the Governor to grant a pardon or commutation in any case.

§ 19. Upon the release of any prisoner upon parole from the reformatory,  
 2 the general superintendent shall provide him with suitable clothing, with  
 3 five dollars in money, and shall procure transportation for him to his place  
 4 of employment. The general superintendent shall make the same provision  
 5 for any prisoner discharged from the reformatory by expiration of his  
 6 maximum sentence, save that he shall procure transportation for said pris-  
 7 oner to his home, if within the State; if not, to the place of his conviction.

§ 20. The board of managers of the Illinois State reformatory is hereby  
 2 authorized to employ a competent architect and have plans prepared for  
 3 such additional buildings and out enclosures as are necessary to fit the present  
 4 institution at Pontiac for the uses and purposes contemplated by this act.  
 5 They shall submit said plans to the Governor for his inspection, and if he  
 6 shall endorse thereon his approval of the same, the board of managers shall  
 7 proceed to erect said buildings and enclosures accordingly. They shall  
 8 make no contracts except for material and such skilled labor as may be  
 9 necessary to secure perfect work, but shall erect said buildings, as far as  
 10 possible, with labor of prisoners. And for this purpose, said board of  
 11 managers is authorized, in their discretion, to make written requisition  
 12 upon the authorities of either of the State penitentiaries, for such number,  
 13 not to exceed one hundred, of the best behaved and most promising con-  
 14 victs, between the ages of sixteen and thirty years, as, in their judgment,  
 15 may be used to advantage in the construction of said buildings; and the  
 16 authorities of the State penitentiaries shall transfer such convicts as may  
 17 be selected by said managers, and deliver them to said reformatory at  
 18 Pontiac. And said board of managers are hereby authorized to receive and  
 19 detain, at said reformatory, during the terms of their respective sentences,

20 the said convicts so transferred; and all laws applicable to convicts in  
 21 the penitentiaries shall be applicable to said convicts when transferred  
 22 under this section.

§ 21. The laws that govern the penitentiaries of this State, so far as they  
 2 relate to the prevention of escape, and the suppression of riots, revolts,  
 3 mutinies or insurrections, or the punishment of crimes committed in the  
 4 penitentiaries are hereby made applicable to and declared to be in force in  
 5 the Illinois State reformatory.

§ 22. For the purpose of carrying into effect the provisions of this act the  
 2 sum of ..... dollars is hereby appropriated out of any moneys in the  
 3 treasury not otherwise appropriated, the same to be paid to the board  
 4 of managers of the Illinois State reformatory in quarterly installments  
 5 commencing on the first day of July, A. D. 1891. The Auditor is hereby  
 6 authorized and required to draw his warrant on the State Treasurer in  
 7 favor of said board of managers, for such quarterly installments, as the  
 8 same become due under the provisions of this act.

§ 23. When the board of managers of the Illinois State reformatory is  
 2 ready to receive prisoners into the institution, it shall be the duty of the  
 3 Governor to make public proclamation to that effect, and it is hereby also  
 4 made the duty of the Governor to notify the judges of all the criminal and  
 5 circuit courts of the State when the institution is ready for the reception  
 6 of prisoners.

§ 24. All acts and parts of acts inconsistent with this act are hereby  
 2 repealed.

1. Introduced by Mr. Sheets January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back with amendments March 12, 1891, passage recommended and ordered to be referred to Committee on Appropriations.
4. Reported back from Appropriations Committee March 25, 1891, with amendments and ordered to second reading.

---

## A BILL

For an act to establish the Illinois State Reformatory.

---

### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That from and after the first day of July, 1891,  
3 the Illinois Reform School at Pontiac shall be known as the Illinois State  
4 Reformatory.

§ 2. The Governor shall, with the advice and consent of the Senate, ap-  
2 point five citizens of the State of Illinois who shall constitute a board of  
3 managers of said reformatory. Not more than three of said managers shall  
4 be appointed from the same political party. They shall hold their offices  
5 respectively for the term of ten years, except, on the first organization of  
6 the board it shall be provided by lot that the terms of members shall  
7 terminate respectively at the end of two, four, six, eight and ten years, and  
8 they shall be so classified that the terms of the original appointees shall  
9 expire every second year. Whenever vacancies shall occur in the said  
10 board of managers, such vacancies, for the unexpired terms thereof, shall  
11 be filled by the appointment of the Governor, in such manner that the  
12 principle of rotation aforesaid shall be maintained. The Governor may

13 remove any of the managers for misconduct, incompetency or neglect of  
 14 duty after opportunity shall be given him or them to be heard upon writ-  
 15 ten charges.

§ 3. The board of managers shall, when appointed as aforesaid, have the  
 2 charge and management of the said reformatory. They shall appoint a  
 3 general superintendent, chaplain and physician, and shall have power to  
 4 remove them for causes impairing their faithful and intelligent administra-  
 5 tion of their office, after opportunity shall be given to the officer so charged  
 6 to be heard upon written charges. All other officers and employees shall be  
 7 appointed and selected by the general superintendent and shall be remova-  
 8 ble at his pleasure, and all such subordinate officers shall be appointed  
 9 only after rigid examination as to their education, trade, knowledge, moral  
 10 character and fitness for the care and custody of those persons, who may  
 11 be sentenced to imprisonment in said reformatory. The annual compensa-  
 12 tion of the general superintendent, the several officers and other employees  
 13 shall be fixed by the board of managers in their discretion, and said man-  
 14 agers are hereby forbidden to solicit, or request, or in any way interfere  
 15 with any appointment of any subordinate.

§ 4. The members of the board, before entering upon the duties of their  
 2 office, shall each take and subscribe to the oath of office required by the  
 3 constitution. Three of the managers shall constitute a quorum to do busi-  
 4 ness at any regular or properly called special meeting of said board.

§ 5. The board shall elect of their own number, a president and vice-  
 2 president, whose term of office shall be for two years, and until their suc-  
 3 cessors shall be duly elected and qualified. They shall also elect a treas-  
 4 urer, not one of their own number, whose term of office shall be for two  
 5 years and until his successor is duly elected and qualified, and who shall  
 6 at all times be subject to removal by vote of a majority of the managers  
 7 for any cause impairing the faithful and intelligent administration of his

8 office, after opportunity shall be given him to be heard upon written  
9 charges.

§ 6. The board of managers shall examine all accounts and expenditures,  
2 with the vouchers for the same, relating to the business of the reformatory,  
3 at least once each quarter year, and shall certify the same, with their  
4 approval or disapproval, to the Governor. And they shall, on or before the  
5 first day of December in each year, report to the legislature, through the  
6 Governor, the condition of the said reformatory, their proceedings in regard  
7 to inmates, with a detailed statement of all moneys expended, together with  
8 such recommendations as they shall deem proper. Special meetings of the  
9 board may be held when the exigencies of the institution demand the same,  
10 upon the call of the president, or otherwise, as the board may prescribe.

§ 7. Each member of the board shall be allowed ten cents per mile for  
2 every mile traveled, going and returning, while on necessary business of  
3 the reformatory, but no other fee, allowance or perquisite whatever.

§ 8. The treasurer, before entering upon the duties of his office, shall  
2 execute a bond to the people of the State of Illinois, with sureties, to be  
3 approved by the board, in at least double the sum of money for which he  
4 may be responsible as treasurer, conditioned for the faithful performance of  
5 all his duties as such treasurer. He shall take charge of all of the funds  
6 of the institution, receiving the same and disbursing them on the written  
7 order of the secretary, countersigned by the president, and shall account to  
8 the board, in such manner as they may require, for all funds entrusted to  
9 him from whatever source. His books shall at all times be open to the in-  
10 spection of the board, who shall, at least once in every six months, carefully  
11 examine the same, and all the accounts, vouchers and documents connected  
12 therewith, and make a record of the result of such examination.

§ 9. The general superintendent, before entering upon the duties of his  
2 office, shall execute a bond to the People of the State of Illinois, with

3 sureties, to be approved by the board, in a sum to be fixed by the board.  
 4 conditioned for the faithful performance of all his duties as such general  
 5 superintendent. He shall reside at the institution, and shall be (ex-officio)  
 6 the secretary of the board, taking charge of all of its books and papers.  
 7 He shall have charge of the land, buildings, furniture, apparatus, tools,  
 8 stock, provisions, and every other species of property belonging to the  
 9 institution, and shall account to the board in such manner as they may  
 10 require for all the property entrusted to him; and all moneys received by  
 11 him from whatever source shall be deposited with the treasurer. His books  
 12 shall at all times be open to the inspection of the board, who shall at least  
 13 once in every three months, carefully examine the same, and all accounts,  
 14 vouchers and documents connected therewith, and make a record of the  
 15 result of such examination in a book provided for the purpose. He shall  
 16 have charge of the inmates of the institution, shall discipline, govern,  
 17 instruct, employ and use his best efforts to reform them, and shall, at all  
 18 times, be subject to removal by the board for incapacity, cruelty, negligence,  
 19 immorality, or other good cause, shown after due investigation: *Provided*,  
 20 full opportunity shall be given him to be heard upon written charges.

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 2 or departments, the first to include males between the ages of ten and six-  
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 4 thirty years, who may be sentenced to said reformatory as hereinafter pro-  
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§ 11. Whenever any boy between the ages of ten and sixteen years is  
 2 convicted before any court of competent jurisdiction, of any crime, which,  
 3 if committed by an adult, would be punishable by imprisonment in the  
 4 county jail or penitentiary, such juvenile offender shall be committed by  
 5 order of such court to said reformatory for a term not less than one year  
 6 nor more than the maximum provided by law for such crime: *Provided*, that

7 when the crime is punishable by imprisonment in the county jail, the court  
8 may, in the exercise of its discretion, commit such offender to the county  
9 jail for the term authorized by law for the punishment of the offense of  
10 which the offender is convicted; *And provided further*, that nothing in this  
11 act shall be construed to debar any court for punishing for any capital of-  
12 fense in such manner as is or may be provided by law.

§ 12. Any court in this State exercising criminal jurisdiction may sen-  
2 tence to the said reformatory any male criminal between the ages of sixteen  
3 and thirty years, and not known to have been previously sentenced to a  
4 penitentiary in this or any other State or country, upon the conviction in  
5 such court, of such male person, of a crime punishable under existing laws  
6 in a penitentiary. And the said board of managers shall receive and take  
7 into said reformatory all male prisoners of the class aforesaid, who may be  
8 legally sentenced on conviction as aforesaid; and all existing laws requiring  
9 the courts of this State to sentence to the penitentiary male prisoners con-  
10 victed of any criminal offense, between the ages of sixteen and thirty years,  
11 and not shown to have been previously sentenced to a State prison in this  
12 or any other State or country, shall be applicable to the said reformatory,  
13 so far as to enable courts to sentence the class of prisoners so last defined  
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2 a felony or other crime, shall be a general sentence to imprisonment in the  
3 Illinois State Reformatory, and the courts of this State imposing such sen-  
4 tence shall not fix or limit the duration thereof. The term of such impris-  
5 onment of any person so convicted and sentenced shall be terminated by  
6 the board of managers of the reformatory, as authorized by this act; but  
7 such imprisonment shall not exceed the maximum term or be less than the  
8 minimum term, provided by law, for the crime for which the prisoner was  
9 convicted and sentenced.

§ 14. The clerk of each court that sentences a criminal to said reformatory shall furnish to the general superintendent thereof, together with the commitment of said criminal, a record containing a copy of the indictment or information filed in the case, the name and residence of the judge presiding at the trial, also of the jurors and witnesses sworn at the trial, with a statement of any fact or facts which the presiding judge may deem important or necessary for the full comprehension of the case; and said clerk shall receive such compensation as is now allowed by law for making and certifying to the record, as in other criminal cases.

§ 15. The board of managers shall have the power to transfer temporarily to the penitentiary of the proper district any prisoner who, subsequent to his committal, shall be shown to their satisfaction to have been, at the time of his conviction, more than thirty years of age, or to have been previously convicted of crime; and may also so transfer any apparently incorrigible prisoner, whose presence in the reformatory appears to be seriously detrimental to the well being of the institution. And such managers may, by written requisition, require the return to the reformatory of any person who may have been so transferred. Each prisoner so transferred to the penitentiary shall be held therein at hard labor, and subject to all the rules and discipline of said penitentiary, for the full maximum term provided by law for the crime of which he was convicted, unless recalled to the reformatory, as herein provided, by the board of managers.

§ 16. The said board of managers shall have power to establish rules and regulations under which prisoners within the reformatory may be allowed to go upon parole outside of the reformatory building and enclosure, but to remain while on parole in the legal custody and under control of the board of managers and subject at any time to be taken back within the enclosure of said reformatory; and full power to enforce such rules and regulations to re-take and re-imprison any inmate so upon parole, is hereby



8 conferred upon said board, whose order, certified by its secretary and signed  
 9 by its president, with the seal of the reformatory attached thereto, shall be a  
 10 sufficient warrant for the officer named in it to authorize such officer to  
 11 return to actual custody any conditionally released or paroled prisoner,  
 12 and it is hereby made the duty of all officers to execute said order the  
 13 same as ordinary criminal process: *Provided*, that no prisoner shall be  
 14 released on parole until a contract for his employment, for at least six  
 15 months in some suitable occupation, has been made and filed with said  
 16 board of managers.

§ 17. It shall be the duty of said board of managers to adopt such rules  
 2 concerning all prisoners committed to their custody as shall prevent them  
 3 from returning to criminal courses, best secure their self-support, and  
 4 accomplish their reformation. When any prisoner shall be received into  
 5 said reformatory, the general superintendent shall cause to be entered into  
 6 a register, the date of such admission, the name, age, nativity, nationality, with  
 7 such other facts as can be ascertained of parentage, education, occupation  
 8 and early social influences as seem to indicate the constitutional and acquired  
 9 defects and tendencies of the prisoner, and based upon these, an estimate  
 10 of the present condition of the prisoner, and the best probable plan of  
 11 treatment. And the physician of said reformatory shall carefully examine  
 12 each prisoner when received, and shall enter in a register to be kept by  
 13 him, the name, nationality, or race, the weight, stature and family history of  
 14 each prisoner, also a statement of the condition of the heart, lungs and  
 15 other leading organs, the rate of the pulse and respiration, the measurement  
 16 of the chest and abdomen, and any existing disease or deformity, or other  
 17 disability acquired or inherited. Upon the general superintendent's register  
 18 shall be entered, from time to time, minutes of observed improvement or  
 19 deterioration of character, and notes as to methods and treatment employed;  
 20 also, all alterations affecting the standing or situation of such prisoner,  
 21 and any subsequent facts or personal history which may be brought,

officially, to his knowledge, bearing upon the question of the parole or final release of said prisoner. And it is hereby provided that if any prisoner on parole shall violate the conditions of his parole or conditional release (by whatever name), as affixed by the managers, he shall by a formal order, entered in the manager's proceedings, be declared a delinquent, and shall thereafter be treated as an escaped prisoner owing service to the State, and shall be liable, when arrested, to serve out the unexpired term of his maximum possible imprisonment, and the time from the date of his declared delinquency to the date of his arrest shall not be counted as any part or portion of time served. And any prisoner at large upon parole or conditional release, who shall commit a fresh crime, and upon conviction thereof shall be sentenced anew to the reformatory or the penitentiary, shall be subject to serve the second sentence, after the first sentence is served or annulled, said second sentence to commence from the termination of his liability upon the first or former sentence.

§ 18. It shall be the duty of the general superintendent to keep in communication, as far as possible, with all prisoners who are on parole, and when, in his opinion, any prisoner, who has served not less than six months of his parole acceptably, has given such evidence as is deemed reliable and trustworthy that he will remain at liberty without violating the law and that his final release is not incompatible with the welfare of society the general superintendent shall make certificate to that effect to the board of managers, and after written notice to all the managers the board shall, at the next meeting thereafter, consider the case of the prisoner so presented, and when said board shall decide that said prisoner is entitled to his final discharge, said board shall cause a record of the case of said prisoner to be made, showing the date of his commitment to the reformatory, his record while detained therein, the date of his parole, his record while on parole and their reason for recommending his final discharge. Said record shall be signed by the managers and attested by the secretary

16 with the seal of the reformatory, and sent to the judge of the court that  
 17 sentenced said prisoner to the reformatory. Said judge shall thereupon con-  
 18 sult the State's attorney, and if it shall appear that no reason for further  
 19 detention exists, he shall enter an order for the final discharge of said pris-  
 20 oner from further liability under his sentence. The clerk shall send a copy  
 21 of said order, duly certified, to the general superintendent, who shall enter  
 22 the same in the proper record and furnish said prisoner with a certified  
 23 copy thereof. Said order shall constitute a full discharge of said prisoner  
 24 from further liability under his sentence. But no petition or other form of  
 25 application for either the parole or final release of any prisoner shall be  
 26 entertained by the general superintendent or board of managers. Nothing  
 27 in this act shall be construed as impairing the power of the Governor to  
 28 grant a pardon or commutation in any case.

§ 19. Upon the release of any prisoner upon parole from the reformatory,  
 2 the general superintendent shall provide him with suitable clothing, with  
 3 five dollars in money, and shall procure transportation for him to his place  
 3 of employment. The general superintendent shall make the same provision  
 4 for any prisoner discharged from the reformatory by expiration of his  
 5 maximum sentence, save that he shall procure transportation for said prisoner  
 6 to his home, if within the State; if not, to the place of his conviction.

§ 20. The board of managers of the Illinois State Reformatory is hereby  
 2 authorized to employ a competent architect and have plans prepared for  
 3 such additional buildings and out enclosures as are necessary to fit the  
 4 present institution at Pontiac for the uses and purposes contemplated by  
 5 this act. They shall submit said plans to the Governor for his inspection  
 6 and if he shall endorse thereon his approval of the same the board of man-  
 7 agers shall proceed to erect said buildings and enclosures accordingly. They  
 8 shall make no contracts except for material and such skilled labor as may  
 9 be necessary to secure perfect work, but shall erect said buildings, as far  
 10 as possible, with the labor of prisoners. And for this purpose, said board  
 11 of managers is authorized in their discretion to make written requisition

12 upon the authorities of either of the State penitentiaries for such number,  
 13 not to exceed one hundred, of the best behaved and most promising con-  
 14 victs, between the ages of sixteen and thirty years, as in their judgment  
 15 may be used to advantage in the construction of said buildings; and the  
 16 authorities of the State penitentiaries shall transfer such convicts as may  
 17 be selected by said managers and deliver them to said reformatory at Pon-  
 18 tiac. And said board of managers are hereby authorized to receive and de-  
 19 tain at said reformatory, during the terms of their respective sentences, the  
 20 said convicts so transferred; and all the laws applicable to convicts in the  
 21 penitentiaries shall be applicable to said convicts when transferred under  
 22 this section.

§ 21. The laws that govern the penitentiaries of this State, so far as they  
 2 relate to the prevention of escape, and the suppression of riots, revolts,  
 3 mutinies or insurrections, or the punishment of crimes committed in the  
 4 penitentiaries, are hereby made applicable to and declared to be in force in  
 5 the Illinois State Reformatory.

§ 22. For the purpose of carrying into effect the provisions of this act,  
 2 the sum of ..... dollars is hereby appropriated out of any  
 3 moneys in the treasury not otherwise appropriated, the same to be paid to  
 4 the board of managers of the Illinois State Reformatory in quarterly install-  
 5 ments, commencing on the first day of July, A. D., 1891. The Auditor is  
 6 hereby authorized and required to draw his warrant on the State Treasurer  
 7 in favor of said board of managers, for such quarterly installments, as the  
 8 same become due under the provisions of this act.

§ 23. When the board of managers of the Illinois State Reformatory is  
 2 ready to receive prisoners into the institution, it shall be the duty of the  
 3 Governor to make public proclamation to that effect, and it is hereby also  
 4 made the duty of the Governor to notify the judges of all the criminal and  
 5 circuit courts of the State when the institution is ready for the reception  
 6 of prisoners.

§ 24. All acts and parts of acts inconsistent with this act are hereby  
2 repealed.

## AMENDMENTS PROPOSED BY THE COMMITTEE ON PENAL AND REFORMATORY INSTITUTIONS.

Amend by prefixing to section numbered 3: "After the appointment of the board of managers provided for in this act, the State Board of Public Charities shall no longer have control or supervision over the Illinois State Reform School."

Add to section one (1) the following: "And the trustees and other officers now in control of the reform school at Pontiac shall hold their respective positions until the board of managers provided for by this act are appointed by the Governor and not longer."

Amend by striking out of section eighteen (18) of printed bill, line 18, and that part of line 19 before the word "enter."

Amend section six (6) by inserting the following after the word "proper" in line 8 of section 6: "It shall be the duty of the managers to provide for the thorough training of each and every inmate in the common branches of an English education; also in such trade or handicraft as will enable him upon his release to earn his own support. For this purpose said managers shall establish and maintain common schools and trade schools in said reformatory and make all needful rules and regulations for the government of the same."

Amend section eleven (11) by striking out all after the word "that" in line ten (10) and insert the following: "No person guilty of a capital offense shall be sentenced to the State Reformatory."

Amend section twenty-two (22) by inserting in line 2 "the sum of \$150,000.00."

Amend section twenty-three (23) by striking out all after the word

"hereby" in line 3 and insert the following: "Made the duty of the superintendent of said reformatory to notify the judges of all the criminal and circuit courts of the State that the institution is ready for the reception of prisoners."

Amend as follows: Insert after section ten (10) a section numbered eleven (11) as follows. Section 11. In all criminal cases tried by jury, in which the jury shall find the defendant guilty, they shall also find by their verdict whether or not the defendant is between the ages of ten (10) and thirty (30) years, and if the jury shall find the defendant to be between the ages of ten (10) and thirty (30) years, they shall find as nearly as may be the age of the defendant. And in case the finding of the jury shall be that the defendant is between the ages of ten (10) and thirty (30) years, and it shall not be shown in said cause that the defendant has been previously sentenced to a penitentiary in this or any other State or country, and the offense of which the defendant is convicted is not a capital offense, the jury trying such cause shall not fix the punishment of the defendant.

Change the numbering of sections 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, to 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25, respectively.

Amend section 23 of the bill as printed, section 24 as amended, by adding thereto as follows: "And until such proclamation and notification, verdicts and sentences in criminal cases shall not be affected by the provisions of this act."

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## PROPOSED AMENDMENTS TO SENATE BILL No. 80, BY THE COMMITTEE ON APPROPRIATIONS.

Amendment No. 1—Amend the title by adding thereto the following: "And making an appropriation therefor."

Amendment No. 2 Amend section 3 by striking out of line 9 the words "trade knowledge."

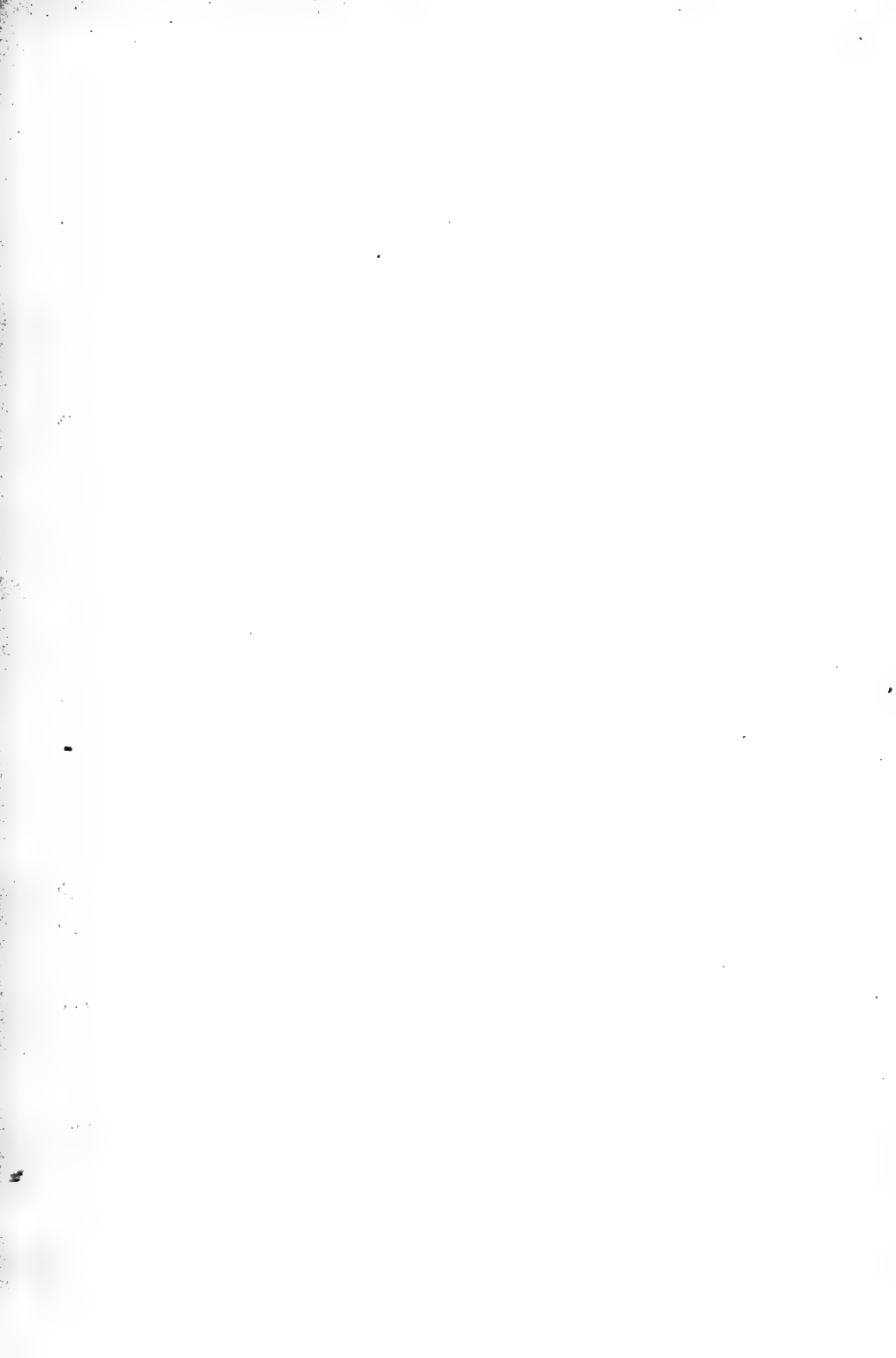
Amendment No. 3 Amend section 13, printed bill, 14 amended bill, by striking out in line 788, "or the less than the minimum term."

Amendment No. 4 Amend by striking out of sections ten, eleven, twelve, fifteen, sixteen, twenty and twenty-one, and wherever it occurs bill, in the word "thirty" and insert the words "twenty-five" in lieu thereof.

Amendment No. 5 Amend section 16, printed bill, 17 amended bill, by striking out all after the word "until" in line 14, and insert in lieu thereof the following words: "The said board of managers shall have satisfactory evidence that arrangements have been made for his honorable and useful employment for at least six months while upon parole, in some suitable occupation."

Amendment No. 6 Amend section 19 by striking out the word "five" in line 3 and insert the word "ten" in lieu thereof.

Amendment No. 7 Amend section 22 in printed bill, 23 amended bill, by striking out all of said section after the word "in," line 4, and insert the following in lieu thereof: "Sums not exceeding ten thousand dollars at any one time. The Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasurer for the money hereby appropriated, on receiving a certificate of said managers or a majority of them, approved by the Governor, that such moneys are necessary for the purposes contemplated by this act, in sums not exceeding ten thousand dollars at one time: *Provided*, that after said managers shall have drawn any amount of money by virtue of this act, they shall not be entitled to draw or receive any more money by virtue hereof while there shall remain in their hands unexpended the amount of over one thousand dollars, and they shall produce to the Auditor of Public Accounts proper vouchers showing the expenditure of such money."





1. Introduced by Mr. Sheets January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Penal and Reformatory Institutions.
3. Reported back with amendments March 12, 1891, passage recommended and ordered to be referred to Committee on Appropriations.
4. Reported back from Appropriations Committee March 25, 1891, with amendments, passage recommended and ordered to second reading.
5. Second reading March 31, 1891, amended, and on April 1, 1891, ordered to third reading.

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## A BILL

For an act to establish the Illinois State Reformatory, and making an appropriation therefor.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That from and after the first day of July, 1891,  
3 the Illinois Reform School at Pontiac shall be known as the Illinois State  
4 Reformatory, and the trustees and other officers now in control of the re-  
5 form school at Pontiac shall hold their respective positions until the board  
6 of managers provided for by this act are appointed by the Governor and  
7 not longer.

§ 2. The Governor shall, with the advice and consent of the Senate, ap-  
2 point five citizens of the State of Illinois who shall constitute a board of  
3 managers of said reformatory. Not more than three of said managers shall  
4 be appointed from the same political party. They shall hold their offices  
5 respectively for the term of ten years, except, on the first organization of  
6 the board it shall be provided by lot that the terms of members shall  
7 terminate respectively at the end of two, four, six, eight and ten years, and

8 they shall be so classified that the terms of the original appointees shall  
 9 expire every second year. Whenever vacancies shall occur in the said  
 10 board of managers, such vacancies, for the unexpired terms thereof, shall  
 11 be filled by the appointment of the Governor, in such manner that the  
 12 principle of rotation aforesaid shall be maintained. The Governor may  
 13 remove any of the managers for misconduct, incompetency or neglect of  
 14 duty after opportunity shall be given him or them to be heard upon writ-  
 15 ten charges. After the appointment of the board of managers provided  
 16 for in this act, the State Board of Public Charities shall no longer have  
 17 control or supervision over the Illinois State Reform School.

§ 3. The board of managers shall, when appointed as aforesaid, have the  
 2 charge and management of the said reformatory. They shall appoint a  
 3 general superintendent, chaplain and physician, and shall have power to  
 4 remove them for causes impairing their faithful and intelligent administra-  
 5 tion of their office, after opportunity shall be given to the officer so charged  
 6 to be heard upon written charges. All other officers and employees shall be  
 7 appointed and selected by the general superintendent and shall be remova-  
 8 ble at his pleasure, and all such subordinate officers shall be appointed  
 9 only after rigid examination as to their education, trade, knowledge, moral  
 10 character and fitness for the care and custody of those persons, who may  
 11 be sentenced to imprisonment in said reformatory. The annual compensa-  
 12 tion of the general superintendent, the several officers and other employees  
 13 shall be fixed by the board of managers in their discretion, and said man-  
 14 agers are hereby forbidden to solicit, or request, or in any way interfere  
 15 with any appointment of any subordinate.

§ 4. The members of the board, before entering upon the duties of their  
 2 office, shall each take and subscribe to the oath of office required by the  
 3 constitution. Three of the managers shall constitute a quorum to do busi-  
 4 ness at any regular or properly called special meeting of said board.

§ 5. The board shall elect of their own number, a president and vice-president, whose term of office shall be for two years, and until their successors shall be duly elected and qualified. They shall also elect a treasurer, not one of their own number, whose term of office shall be for two years and until his successor is duly elected and qualified, and who shall at all times be subject to removal by vote of a majority of the managers for any cause impairing the faithful and intelligent administration of his office, after opportunity shall be given him to be heard upon written charges.

§ 6. The board of managers shall examine all accounts and expenditures, with the vouchers for the same, relating to the business of the reformatory, at least once each quarter year, and shall certify the same, with their approval or disapproval, to the Governor. And they shall, on or before the first day of December in each year, report to the legislature, through the Governor, the condition of the said reformatory, their proceedings in regard to inmates, with a detailed statement of all moneys expended, together with such recommendations as they shall deem proper. It shall be the duty of the managers to provide for the thorough training of each and every inmate in the common branches of an English education; also in such trade or handicraft as will enable him upon his release to earn his own support. For this purpose said managers shall establish and maintain common schools and trade schools in said reformatory and make all needful rules and regulations for the government of the same. Special meetings of the board may be held when the exigencies of the institution demand the same, upon the call of the president, or otherwise, as the board may prescribe.

§ 7. Each member of the board shall be allowed ten cents per mile for every mile traveled, going and returning, while on necessary business of the reformatory, but no other fee, allowance or perquisite whatever.

§ 8. The treasurer, before entering upon the duties of his office, shall

2 execute a bond to the people of the State of Illinois, with sureties, to be  
 3 approved by the board, in at least double the sum of money for which he  
 4 may be responsible as treasurer, conditioned for the faithful performance of  
 5 all his duties as such treasurer. He shall take charge of all of the funds  
 6 of the institution, receiving the same and disbursing them on the written  
 7 order of the secretary, countersigned by the president, and shall account to  
 8 the board, in such manner as they may require, for all funds entrusted to  
 9 him from whatever source. His books shall at all times be open to the in-  
 10 spection of the board, who shall, at least once in every six months, carefully  
 11 examine the same, and all the accounts, vouchers and documents connected  
 12 therewith, and make a record of the result of such examination.

§ 9. The general superintendent, before entering upon the duties of his  
 2 office, shall execute a bond to the People of the State of Illinois, with  
 3 sureties, to be approved by the board, in a sum to be fixed by the board,  
 4 conditioned for the faithful performance of all his duties as such general  
 5 superintendent. He shall reside at the institution, and shall be (ex-officio)  
 6 the secretary of the board, taking charge of all of its books and papers.  
 7 He shall have charge of the land, buildings, furniture, apparatus, tools,  
 8 stock, provisions, and every other species of property belonging to the  
 9 institution, and shall account to the board in such manner as they may  
 10 require for all the property entrusted to him: and all moneys received by  
 11 him from whatever source shall be deposited with the treasurer. His books  
 12 shall at all times be open to the inspection of the board, who shall at least  
 13 once in every three months, carefully examine the same, and all accounts,  
 14 vouchers and documents connected therewith, and make a record of the  
 15 result of such examination in a book provided for the purpose. He shall  
 16 have charge of the inmates of the institution, shall discipline, govern,  
 17 instruct, employ and use his best efforts to reform them, and shall, at all  
 18 times, be subject to removal by the board for incapacity, cruelty, negligence,

19 immorality, or other good cause, shown after due investigation: *Provided*  
 20 full opportunity shall be given him to be heard upon written charges.

§ 10. The inmates of the reformatory shall be divided into two divisions  
 2 or departments, the first to include males between the ages of ten and six-  
 3 teen years the second to include males between the ages of sixteen and  
 4 twenty-five years, who may be sentenced to said reformatory as hereinafter  
 5 provided.

§ 11. In all criminal cases tried by jury, in which the jury shall find  
 2 the defendant guilty, they shall also find by their verdict whether or  
 3 not the defendant is between the ages of ten (10) and twenty-five (25) years,  
 4 and if the jury shall find the defendant to be between the ages of ten (10)  
 5 and twenty-five (25) years, they shall find as nearly as may be the age of the  
 6 defendant. And in case the finding of the jury shall be that the defend-  
 7 ant is between the ages of ten (10) and twenty-five (25) years, and it shall  
 8 not be shown in said cause that the defendant has been previously sen-  
 9 tenced to a penitentiary in this or any other State or country, and the  
 10 offense of which the defendant is convicted is not a capital offense, the jury  
 11 trying such cause shall not fix the punishment of the defendant.

§ 12. Whenever any boy between the ages of ten and sixteen years is  
 2 convicted before any court of competent jurisdiction, of any crime, which,  
 3 if committed by an adult, would be punishable by imprisonment in the  
 4 county jail or penitentiary, such juvenile offender shall be committed by  
 5 order of such court to said reformatory for a term not less than one year  
 6 nor more than the maximum provided by law for such crime: *Provided*, that  
 7 when the crime is punishable by imprisonment in the county jail, the court  
 8 may, in the exercise of its discretion, commit such offender to the county  
 9 jail for the term authorized by law for the punishment of the offense of  
 10 which the offender is convicted: *And provided further*, no person guilty of  
 11 a capital offense shall be sentenced to the State Reformatory.

§ 13. Any court in this State exercising criminal jurisdiction may sentence to the said reformatory any male criminal between the ages of sixteen and twenty-five years, and not shown to have been previously sentenced to a penitentiary in this or any other State or country, upon the conviction in such court, of such male person, of a crime punishable under existing laws in a penitentiary. And the said board of managers shall receive and take into said reformatory all male prisoners of the class aforesaid, who may be legally sentenced on conviction as aforesaid; and all existing laws requiring the courts of this State to sentence to the penitentiary male prisoners convicted of any criminal offense, between the ages of sixteen and twenty-five years, and not shown to have been previously sentenced to a State prison in this or any other State or country, shall be applicable to the said reformatory, so far as to enable courts to sentence the class of prisoners so last defined to said reformatory and not to a penitentiary.

§ 14. Every sentence to the reformatory, of a person hereafter convicted of a felony or other crime, shall be a general sentence to imprisonment in the Illinois State Reformatory, and the courts of this State imposing such sentence shall not fix or limit the duration thereof. The term of such imprisonment of any person so convicted and sentenced shall be terminated by the board of managers of the reformatory, as authorized by this act; but such imprisonment shall not exceed the maximum term, provided by law, for the crime for which the prisoner was convicted and sentenced.

§ 15. The clerk of each court that sentences a criminal to said reformatory shall furnish to the general superintendent thereof, together with the commitment of said criminal, a record containing a copy of the indictment or information filed in the case; the name and residence of the judge presiding at the trial, also of the jurors and witnesses sworn at the trial, with a statement of any fact or facts which the presiding judge may deem important or necessary for the full comprehension of the case; and said clerk

8 shall receive such compensation as is now allowed by law for making and  
9 certifying to the record, as in other criminal cases.

§ 16. The board of managers shall have the power to transfer temporarily  
2 to the penitentiary of the proper district any prisoner who, subsequent to his  
3 committal, shall be shown to their satisfaction to have been, at the time of  
4 his conviction, more than twenty-five years of age, or to have been previously  
5 convicted of crime; and may also so transfer any apparently incorrigible  
6 prisoner, whose presence in the reformatory appears to be seriously  
7 detrimental to the well being of the institution. And such managers may,  
8 by written requisition, require the return to the reformatory of any person  
9 who may have been so transferred. Each prisoner so transferred to the  
10 penitentiary shall be held therein at hard labor, and subject to all the  
11 rules and discipline of said penitentiary, for the full maximum term pro-  
12 vided by law for the crime of which he was convicted, unless recalled to  
13 the reformatory, as herein provided, by the board of managers.

§ 17. The said board of managers shall have power to establish rules  
2 and regulations under which prisoners within the reformatory may be  
3 allowed to go upon parole outside of the reformatory building and enclosure,  
4 but to remain while on parole in the legal custody and under control of  
5 the board of managers and subject at any time to be taken back within the  
6 enclosure of said reformatory; and full power to enforce such rules and  
7 regulations to retake and re-imprison any inmate so upon parole, is hereby  
8 conferred upon said board, whose order, certified by its secretary and signed  
9 by its president, with the seal of the reformatory attached thereto, shall be a  
10 sufficient warrant for the officer named in it to authorize such officer to  
11 return to actual custody any conditionally released or paroled prisoner,  
12 and it is hereby made the duty of all officers to execute said order the  
13 same as ordinary criminal process: *Provided*, that no prisoner shall be  
14 released on parole until the said board of managers shall have satisfactory

15 evidence that arrangements have been made for his honorable and useful  
16 employment for at least six months while upon parole, in some suitable oc-  
17 cupation.

§ 18. It shall be the duty of said board of managers to adopt such rules  
2 concerning all prisoners committed to their custody as shall prevent them  
3 from returning to criminal courses, best secure their self-support, and  
4 accomplish their reformation. When any prisoner shall be received into  
5 said reformatory, the general superintendent shall cause to be entered into  
6 a register, the date of such admission, the name, age, nativity, nationality, with  
7 such other facts as can be ascertained of parentage, education, occupation  
8 and early social influences as seem to indicate the constitutional and acquired  
9 defects and tendencies of the prisoner, and based upon these, an estimate  
10 of the present condition of the prisoner, and the best probable plan of  
11 treatment. And the physician of said reformatory shall carefully examine  
12 each prisoner when received, and shall enter in a register to be kept by  
13 him, the name, nationality, or race, the weight, stature and family history of  
14 each prisoner, also a statement of the condition of the heart, lungs and  
15 other leading organs, the rate of the pulse and respiration, the measurement  
16 of the chest and abdomen, and any existing disease or deformity, or other  
17 disability acquired or inherited. Upon the general superintendent's register  
18 shall be entered, from time to time, minutes of observed improvement or  
19 deterioration of character, and notes as to methods and treatment employed;  
20 also, all alterations affecting the standing or situation of such prisoner,  
21 and any subsequent facts or personal history which may be brought,  
22 officially, to his knowledge, bearing upon the question of the parole or  
23 final release of said prisoner. And it is hereby provided that if any  
24 prisoner on parole shall violate the conditions of his parole or conditional  
25 release (by whatever name), as affixed by the managers, he shall by a formal  
26 order, entered in the manager's proceedings, be declared a delinquent, and



27 shall thereafter be treated as an escaped prisoner owing service to the  
28 State, and shall be liable, when arrested, to serve out the unexpired term  
29 of his maximum possible imprisonment, and the time from the date of his  
30 declared delinquency to the date of his arrest shall not be counted as any  
31 part or portion of time served. And any prisoner at large upon parole or  
32 conditional release, who shall commit a fresh crime, and upon conviction  
33 thereof shall be sentenced anew to the reformatory or the penitentiary, shall  
34 be subject to serve the second sentence, after the first sentence is served or  
35 annulled, said second sentence to commence from the termination of his  
36 liability upon the first or former sentence.

§ 19. It shall be the duty of the general superintendent to keep in com-  
2 munication, as far as possible, with all prisoners who are on parole, and  
3 when, in his opinion, any prisoner, who has served not less than six months  
4 of his parole acceptably, has given such evidence as is deemed reliable and  
5 trustworthy that he will remain at liberty without violating the law and  
6 that his final release is not incompatible with the welfare of society the  
7 general superintendent shall make certificate to that effect to the board of  
8 managers, and after written notice to all the managers the board shall, at  
9 the next meeting thereafter, consider the case of the prisoner so presented,  
10 and when said board shall decide that said prisoner is entitled to his final  
11 discharge, said board shall cause a record of the case of said prisoner to be  
12 made, showing the date of his commitment to the reformatory, his record  
13 while detained therein, the date of his parole, his record while  
14 on parole and their reason for recommending his final discharge.  
15 Said record shall be signed by the managers and attested by the secretary  
16 with the seal of the reformatory, and sent to the judge of the court that  
17 sentenced said prisoner to the reformatory. Said judge shall enter  
18 an order for the final discharge of said prisoner from further lia-  
19 bility under his sentence. The clerk shall send a copy of said

20 order, duly certified, to the general superintendent, who shall enter  
21 the same in the proper record and furnish said prisoner with a certified  
22 copy thereof. Said order shall constitute a full discharge of said prisoner  
23 from further liability under his sentence. But no petition or other form of  
24 application for either the parole or final release of any prisoner shall be  
25 entertained by the general superintendent or board of managers. Nothing  
26 in this act shall be construed as impairing the power of the Governor to  
27 grant a pardon or commutation in any case.

§ 20. Upon the release of any prisoner upon parole from the reformatory,  
2 the general superintendent shall provide him with suitable clothing, with  
3 ten dollars in money, and shall procure transportation for him to his place  
3 of employment. The general superintendent shall make the same provision  
4 for any prisoner discharged from the reformatory by expiration of his  
5 maximum sentence, save that he shall procure transportation for said prisoner  
6 to his home, if within the State; if not, to the place of his conviction.

§ 21. The board of managers of the Illinois State Reformatory is hereby  
2 authorized to employ a competent architect and have plans prepared for  
3 such additional buildings and out enclosures as are necessary to fit the  
4 present institution at Pontiac for the uses and purposes contemplated by  
5 this act. They shall submit said plans to the Governor for his inspection  
6 and if he shall endorse thereon his approval of the same the board of man-  
7 agers shall proceed to erect said buildings and enclosures accordingly. They  
8 shall make no contracts except for material and such skilled labor as may  
9 be necessary to secure perfect work, but shall erect said buildings, as far  
10 as possible, with the labor of prisoners. And for this purpose, said board  
11 of managers is authorized in their discretion to make written requisition  
12 upon the authorities of either of the State penitentiaries for such number,  
13 not to exceed one hundred, of the best behaved and most promising con-  
14 victs, between the ages of sixteen and twenty-five years, as in their judgment

15 may be used to advantage in the construction of said buildings; and the  
16 authorities of the State penitentiaries shall transfer such convicts as may  
17 be selected by said managers and deliver them to said reformatory at Pon-  
18 tiac. And said board of managers are hereby authorized to receive and de-  
19 tain at said reformatory, during the terms of their respective sentences, the  
20 said convicts so transferred; and all the laws applicable to convicts in the  
21 penitentiaries shall be applicable to said convicts when transferred under  
22 this section.

§ 22. The laws that govern the penitentiaries of this State, so far as they  
2 relate to the prevention of escape, and the suppression of riots, revolts,  
3 mutinies or insurrections, or the punishment of crimes committed in the  
4 penitentiaries, are hereby made applicable to and declared to be in force in  
5 the Illinois State Reformatory.

§ 23. For the purpose of carrying into effect the provisions of this act,  
2 the sum of one hundred and fifty thousand dollars (\$150,000) is hereby ap-  
3 propriated out of any moneys in the treasury not otherwise appropriated,  
4 the same to be paid to the board of managers of the Illinois State Re-  
5 formatory in sums not exceeding ten thousand dollars at any one time.  
6 The Auditor of Public Accounts is hereby authorized to draw his warrant  
7 on the Treasurer for the money hereby appropriated, on receiving the certi-  
8 ficate of said managers or a majority of them, approved by the Governor, that  
9 such moneys are necessary for the purposes contemplated by this act, in  
10 sums not exceeding ten thousand dollars at one time: *Provided*, that after  
11 said managers shall have drawn any amount of money by virtue of  
12 this act, they shall not be entitled to draw or receive any more money  
13 by virtue hereof while there shall remain in their hands unexpended the  
14 amount of over one thousand dollars, and they shall produce to the Auditor  
15 of Public Accounts proper vouchers showing the expenditure of such money.

§ 24. When the board of managers of the Illinois State Reformatory is

2 ready to receive prisoners into the institution, it shall be the duty of the  
3 Governor to make public proclamation to that effect, and it is hereby made  
4 the duty of the Superintendent of said reformatory to notify the judges of  
5 all the criminal and circuit courts of the State that the institution is ready  
6 for the reception of prisoners, and until such proclamation and notifica-  
7 tion, verdicts and sentences in criminal cases shall not be affected by the  
8 provisions of this act.

## AMENDMENTS TO SENATE BILL No. 80--IN HOUSE.

Adopted by the House of Representatives June 2, 1891, ordered printed and engrossed June 2, 1891.

1. Amend section 12 in line 10 by inserting after the word "person," the words "above the age of sixteen years who have been convicted and adjudged."

2. Add the following to section 21: "No contracts of any kind whatever shall be made for plans, material, labor or for the erection of buildings until after bids for proposals for the same have been advertised for, for at least three weeks, twice each week, in two daily newspapers of opposite politics having the largest circulation in the cities of Chicago, Springfield, Illinois, and St. Louis, Missouri."

3. Amend by striking out all of section 21, after the word "prisoners," in line 10 of section 21 of printed bill.

4. Amend by striking out of section 10 in line 4, in section 11 in line 3, in section 11 in line 5, in section 11 in line 7, in section 13 in line 3, in section 13 line 10, and wherever the same may occur in the printed bill the words "twenty-five years," and insert in place thereof the words "twenty-one years."

5. Amend by adding section 25:

Section 25. All appropriations made for the benefit of the State Reform School at Pontiac, shall be transferred and made payable to the board of managers of the Illinois State Reformatory when they shall come in possession of the said reform school under the provisions of this act.

6. Amend section 9 of the printed bill, by inserting after the word "the" in the 11th line, the word "State."

7. Amend section 2 by striking out the words, "two," "four," "six," "eight" and "ten," in the 7th line of the printed bill and insert "one," "two," "three," "four" and "five" in place thereof.

8. Add to section 3 the following: "The chaplain shall hold his office for the term of one year, and in no case shall his successor be of the same religious denomination as that of his predecessor; the purpose being that all religious denominations shall consecutively be represented in said chaplaincy."

9. Amend section 4 of the printed bill by inserting after the word "constitution," in the 3rd line of said section, the following: "And shall each make and execute to the People of the State of Illinois, to be approved by the Governor, a bond in the sum of \$25,000 for the faithful performance of his duties, with such conditions as the Governor may prescribe."

10. Strike out all of section 5 after the word "qualified," in the 3rd line of said section.

11. Strike out all of section 8 of the printed bill.

12. Amend section 9 by striking out all after the word "In" in the 3rd line of the printed bill and insert, "the sum of fifty thousand dollars."

13. Strike out the word "ten" in the first line of section 7 of the printed bill and insert "three."

1. Introduced by Mr. Thomas, January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Municipalities.
3. Reported back March 10, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to authorize the Chicago public library to erect and maintain a public library on Dearborn park in the city of Chicago, and to authorize the Soldiers' Home in Chicago to sell and dispose of its interest in the north one-quarter of the same.

WHEREAS, in the original subdivision of a tract of land in the west part of the southwest fractional quarter of section ten, township 39, north, range 14 east of the third principal meridian as subdivided and platted under the authority of the secretary of war in the year 1833, a square or tract of land in said subdivision, a part of which is known as Dearborn park, was set aside for park purposes, and was so dedicated by the general government:

AND WHEREAS, the circumstances under which said dedication was made no longer exist, so that said park cannot be used or utilized for the purposes for which said dedication was made, the growth and development of business having now rendered it worthless for such purposes; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Chicago public library be, and it is hereby authorized, to take possession of the piece of ground now known as Dear-

4 born park, in that part of the city of Chicago, State of Illinois, known as  
 5 the Fort Dearborn addition to Chicago, and bounded on the north by the  
 6 south line of Randolph street, on the east by the west line of Michigan  
 7 avenue, on the south by the north line of Washington street, on the west  
 8 by the east line of an alley known as Dearborn place, and to erect and  
 9 maintain thereon a public library building under and in pursuance of the  
 10 power and authority conferred upon said the Chicago public library by an  
 11 act entitled "An act to authorize cities, incorporated towns and townships  
 12 to establish and maintain free public libraries and reading rooms," approved  
 13 and in force March 7, 1872, and the various amendments thereto: *Provided*,  
 14 that no building shall be erected upon the north one-quarter (4) of said  
 15 ground by the Chicago public library until it has obtained, by purchase or  
 16 otherwise, whatever interest the Soldiers' Home in Chicago acquired in the  
 17 same, under and by virtue of an act entitled "An act to authorize the  
 18 Soldiers' Home in Chicago to erect and maintain a soldiers' memorial hall  
 19 on the north one-quarter (4) of Dearborn park in the city of Chicago,"  
 20 approved June 4, 1889: *And provided further*, that in case the Chicago  
 21 public library shall obtain by purchase or otherwise whatever interest the  
 22 Soldiers' Home in Chicago may have in said north one-quarter (4) of Dear-  
 23 born park, then and in such case the Chicago public library, in erecting  
 24 such library building, shall construct in such part of it as it may elect or  
 25 determine a hall to be known and forever maintained as a memorial hall to  
 26 commemorate the patriotism and sacrifices of the union soldiers and sailors  
 27 of the late civil war, which hall when completed may be leased by the  
 28 Chicago public library at a nominal rental for the period of fifty years to  
 29 the grand army hall and memorial association of Illinois, to be used by it  
 30 and such other organizations of union soldiers and sailors of the late civil  
 31 war having their headquarters in Cook county, as it may direct, for the  
 32 purposes of their organization.



§ 2. The Soldiers' Home in Chicago is hereby authorized to sell, assign,  
2 transfer and convey to the Chicago public library, upon such terms and  
3 conditions as may be agreed upon, all the right, title and interest which  
4 said Soldiers' Home in Chicago now hold in or to the north one-quarter (4)  
5 of said Dearborn park; and when such assignment or conveyance is made  
6 the said Chicago public library shall become seized and possessed of all the  
7 rights and interest in and to said north one-quarter (4) of Dearborn park  
8 that are now held by the Soldiers' Home in Chicago, or by the State of  
9 Illinois, and may take possession of and use the same for library purposes  
10 as provided in section 1 of this act



**37th Assem.**

**HOUSE.**

**Apr. 1891**

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**AMENDMENT TO SENATE BILL No. 81, IN HOUSE.**

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Amendment to Senate Bill No. 81, adopted by the House, April 14, 1891,  
and ordered printed and engrossed.

Amend Senate Bill No. 81, as follows:

Strike out the last word "same" in the title of the bill and insert in lieu  
thereof the words "said park."



1. Introduced by Mr. Thomas, January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Municipalities.
3. Reported back March 12, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend "An act authorizing cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly.* That section 1 of "An act to authorize cities, incorporated towns and townships, to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, as amended by an act approved June 17, 1887, and as amended by an act approved May 25, 1889, be and the same is hereby amended so as to read as follows:

1. [Establishment by City Tax Funds.] Section 1. That the city council of each incorporated city, whether organized under general law or special charter, shall have power to establish and maintain a public library and reading room, for the use and benefit of the inhabitants of such city and may levy a tax of not to exceed two mills on the dollar annually on all the taxable property in the city—such tax to be levied and collected in like manner with the general taxes of said city, and to be known as the library fund: *Provided*, that said annual library tax in cities of over ten thousand inhabitants, shall not be included in the aggregate amount of taxes as

10 limited by section one (1) of article eight (8) of "An act for the incorpor-  
11 ation of cities and villages," approved April 10, 1872, and the amendatory  
12 acts thereto, or by any provision of any special charter under which any  
13 city in this State is now organized.

§ 2. Whereas, an emergency exists, therefore this act shall take effect  
2 and be in force from and after its passage.

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#### AMENDMENT PROPOSED BY COMMITTEE ON MUNICIPALITIES.

Insert after the word "city" in fourth line of page 1 of section 1, as fol-  
2 lows: "*Provided*, that in cities of over one hundred thousand inhabitants  
3 after the year 1895, such tax shall not exceed one-half of a mill on the dol-  
4 lars annually."

1. Introduced by Mr. Bogardus, January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Military.
3. Reported back March 5, 1891, passage recommended, and ordered to second reading.

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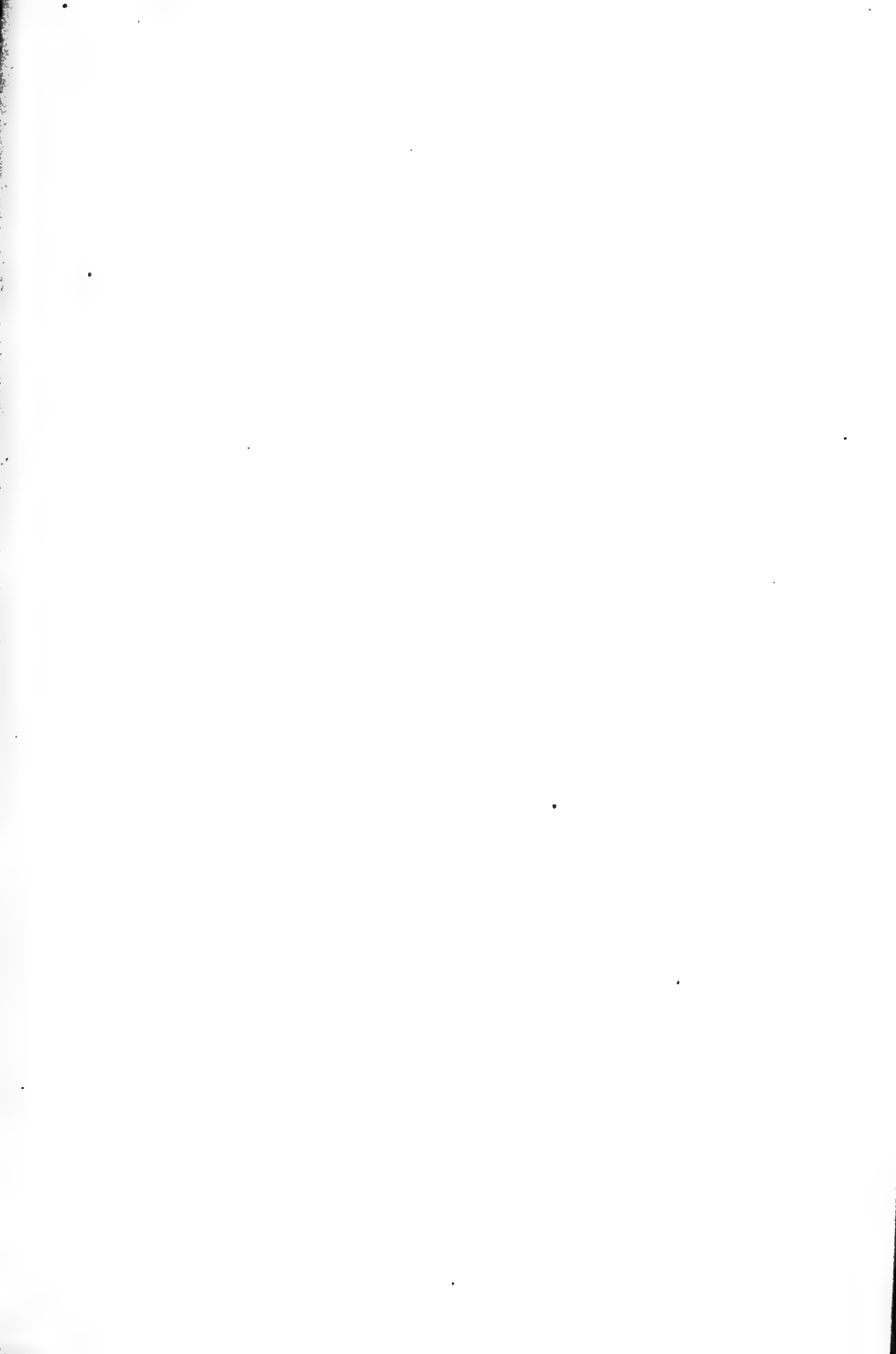
## A BILL

For an act to provide for the ordinary and contingent expenses of the Illinois National Guard and for the repair, improvement and purchase of ground for rifle ranges for the Illinois National Guard.

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SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Illinois, represented in the General Assembly,* That the sum of one hundred and thirty-two thousand and five hundred dollars per annum, or so much thereof as is necessary, be and the same is hereby appropriated to meet the ordinary and contingent expenses of the Illinois National Guard and for the repair, improvement and purchase of ground for rifle ranges for the Illinois National Guard.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the proper fund.





1. Introduced by Mr. Bogardus January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Military.
3. Reported back with amendments March 3, 1891, passage recommended and ordered to second reading.
4. March 19, 1891, taken up and referred to Committee on Appropriations.
5. Reported back March 25, 1891, passage recommended and ordered to second reading.

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## A BILL

an act to provide for the ordinary and contingent expenses of the Illinois National Guard and for the repair, improvement and purchase of ground for rifle ranges for the Illinois National Guard.

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*SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the sum of one hundred and thirty-two thousand and five hundred dollars per annum, or so much thereof as is necessary, be and the sum is hereby appropriated to meet the ordinary and contingent expenses of the Illinois National Guard and for the repair, improvement and purchase of ground for rifle ranges for the Illinois National Guard.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the proper fund.



1. Introduced by Mr. Chapman, January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Insurance.
3. Reported back with amendments March 5, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to subject persons doing an insurance business within this State, whether as individuals or copartners, to the same restrictions and liabilities, and to require them to perform the same duties that now are or hereafter shall be imposed upon corporations doing business within this State.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all persons doing an insurance business within this State, whether as individuals or copartners, shall be subject to the same restrictions and liabilities, and be required to perform the same duties as are now or shall hereafter be imposed upon corporations doing insurance business within this State.

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### AMENDMENTS TO S. B. No. 84 OFFERED BY THE COMMITTEE ON INSURANCE.

Amend by adding the following section to be known as section 2:

Section 2. The provisions of this act shall not be construed to apply to fraternal associations dispensing aid or benefits to their members or their heirs.



1. Introduced by Mr. Berry, January 27, 1891, and ordered to first reading.
2. First reading January 27, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 6, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section ninety-five (95) of "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That section number ninety-five (95) of an act entitled "An act in regard to the administration of estates," approved April 1, 1872, and in force July 1, 1872, be and the same is amended to read as follows:

Section 95. In all public sales of such property the executor or administrator may employ necessary clerks, who shall receive as compensation as the court may deem reasonable for their services, not exceeding three dollars per day, and also a crier or auctioneer who shall receive such compensation as the court may deem reasonable, not exceeding ten dollars per day, to be paid by such executor or administrator and charged to the estate.



**37th Assem.**

**HOUSE.**

**June 1891**

**AMENDMENT TO SENATE BILL No. 85--IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 95 by striking from line 3 the word "three," and inserting in place thereof the word "five."





1. Introduced by Mr. MacMillan January 28, 1891, and ordered to first reading.
2. First reading January 28, 1891, and referred to Committee on Municipalities.
3. Reported back May 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For act in relation to the funds of Municipalities.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of any city shall require that all moneys received by the City Treasurer shall be deposited daily by such treasurer in any bank or banks to be designated by the city council. Such banks shall be designated after advertising in one or more daily newspapers published in said city, for at least ten days, for proposals, and receiving proposals, stating what interest will be paid on the daily balances of amounts deposited, on condition that all amounts so deposited, with accrued interest, shall be held subject, at all times, to draft and payment on demand. The amount deposited in any bank shall not exceed the amount of the capital stock of the bank, nor shall any deposit be made in any bank until the officers of such bank shall execute to the city a bond with at least five free holders of the city as sureties, to be approved by the Mayor, Comptroller, and chairman of the finance committee of the city council, in such penal sum as the city council shall direct, the same, however, to be at least double the estimated amount of money to be deposited with the bank. Whenever any

17 city money shall be deposited by the City Treasurer, as provided in this act,  
18 said Treasurer and the sureties on his official bond shall be exempt from all  
19 liability on such bond by reason of the loss of any such deposited money,  
20 arising from the failure, bankruptcy, or any other act of the bank or any  
21 of its officers.

1. Introduced by Mr. Newell, January 28, 1891, and ordered to first reading.
2. First reading January 28, 1891, and referred to Committee on Judiciary.
3. Reported back February 20, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to facilitate the settlement of suits at law in certain cases.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly* That in all actions in any court of this State,  
3 either upon contracts expressed or implied, for the recovery of money, the  
4 defendant may at any time before the decision of the court, where the  
5 trial is by the court, or the return of the verdict where the trial is by jury,  
6 serve upon the plaintiff an offer in writing to allow judgment to be rendered  
7 against him in the suit for a certain sum of money to be named in the  
8 offer, in full satisfaction of the cause of action, with costs accrued at the  
9 time of making such offer. If the plaintiff accept such offer he shall within  
10 a reasonable time and before the decision or return of the verdict give  
11 notice of such acceptance in writing, and judgment shall thereupon be  
12 rendered accordingly with costs. If such notice of acceptance be not given  
13 as aforesaid, the offer shall be deemed to have been withdrawn and shall  
14 not be given in evidence upon the trial for any purpose whatever. And if  
15 the plaintiff fails to recover a more favorable judgment than tendered him  
16 by the offer he shall be adjudged to pay the costs of the suit accruing  
17 from the time of making such offer.



1. Introduced by Mr. Evans January 28, 1891, and ordered to first reading.
2. First reading January 28, 1891, and referred to Committee on Municipalities.
3. Reported back March 1, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 1 of article VIII of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended by an act entitled, "An act to amend section 1 of article VIII of "An act to provide for the incorporation of cities and villages," approved May 28, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That section one (1) of article VIII of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended by an act entitled, "An act to amend section one (1) of article VIII of "An act to provide for the incorporation of cities and villages," approved May 28, 1879, be and the same is hereby amended to read as follows:

Section 1. The city council in cities and boards of trustees in villages may levy and collect taxes for corporate purposes in the manner following: The city council or boards of trustees, as the case may be, shall annually, on or before the third (3d) Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made

6 and to be collected from the tax levy of that fiscal year; and, by an ordi-  
7 nance, specifying in detail the purposes for which such appropriations are  
8 made, and the sum or amount appropriated for each purpose respectively,  
9 levy the amount so ascertained upon all the property subject to taxation  
10 within the city or village, as the same is assessed and equalized for State  
11 and county purposes for the current year. A certified copy of such ordi-  
12 nance shall be filed with the county clerk of the proper county, whose  
13 duty it shall be to ascertain the rate per cent. which, upon the total valua-  
14 tion of all property subject to taxation within the city or village, as the  
15 same is assessed and equalized for State and county purposes, will produce  
16 a net amount not less than the amount so directed to be levied, and it  
17 shall be the duty of the county clerk to extend such tax in a separate  
18 column upon the book or books of the collector or collectors of State and  
19 county taxes, within such city or village. And where the corporate limits  
20 of any city or village shall lie partly in two or more counties, the city  
21 council, or board of trustees, shall ascertain the total amount of all taxable  
22 property lying within the corporate limits of said city or village in each  
23 county, as the same is assessed and equalized for State and county purposes  
24 for the current year, and certify the amount of taxable property in each  
25 county within said city or village under the seal of said city or village, to  
26 the county clerk of the county where the seat of government of such city  
27 or village is situate, whose duty it shall be to ascertain the rate per cent.  
28 which, upon the total valuation of all property subject to taxation within  
29 the city or village, ascertained as aforesaid, will produce a net amount not  
30 less than the amount so directed to be levied, and said clerk shall as soon  
31 as said rate per cent. of taxation is ascertained certify under his hand and  
32 seal of office to the county clerk of any other county wherein a portion of  
33 said city or village is situate, such rate per cent., and it shall be the duty  
34 of such county clerk to whom such rate per cent. is certified to extend  
35 such tax in a separate column upon the book or books of the collector or

36 collectors of the State and county taxes for such county against all property  
37 in his county within the limits of said city or village: *Provided*, the aggregate  
38 amount of taxes levied for any one year, exclusive of the amount  
39 levied for the payment of bonded indebtedness or interest thereon, shall  
40 not exceed the rate of two (2) per centum upon the aggregate valuation of  
41 all property within such city or village, subject to taxation therein, as the  
42 same was equalized for State and county taxes for the preceding year.





1. Introduced by Mr. Evans January 28, 1891, and ordered to first reading.
2. First reading January 28, 1891, and referred to Committee on Municipalities.
3. Reported back with amendments March 12, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to define the jurisdiction of cities and incorporated towns and villages lying in different counties.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That cities and incorporated towns and villages  
3 which are now or which may hereafter be incorporated or extended into  
4 different counties, shall have the right to extend and enforce their ordin-  
5 ances over the entire territory embraced within the limits of such cities, in-  
6 corporated towns or villages for all municipal purposes.

§ 2. That whenever any provision is made by the statutes of this State  
2 that any suit or proceeding affecting lands or the assessment or collection  
3 of taxes shall be commenced by any city, incorporated town or village in  
4 any court of the county wherein such city, incorporated town or village is  
5 situate, it shall be held and construed to mean in the county wherein the  
6 lands to be affected or upon which the taxes are assessed or to be assessed  
7 and collected are situate.

§ 3. All acts or parts of acts or amendments thereto enacted or in any  
2 manner conflicting with the provisions of this act are hereby expressly re-  
3 pealed.

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**AMENDMENT PROPOSED BY COMMITTEE ON MUNICIPALITIES.**

Amended by striking out section 3.

1. Introduced by Mr. Caldwell January 28, 1891.
2. First reading January 28, 1891, and referred to Committee on Banks and Banking.
3. Referred back February 5, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend sections one, two, three, four, six and eight of an act entitled "An act to revise the law in relation to the rate of interest, and to repeal certain acts therein named," approved May 24, 1879, in force July 1, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That sections one, two, three, four, six and eight of an act entitled "An act to revise the law in relation to the rate of interest, and to repeal certain acts therein named," approved May 24, 1879, in force July 1, 1879, be amended so as to read as follows:

Section 1. That the rate of interest upon the loan or forbearance of any money, goods or thing in action, shall continue to be five dollars (\$5) upon one hundred dollars (\$100) for one year, and after that rate for a greater or less sum, or for a longer or shorter time, except as herein provided.

Section 2. Creditors shall be allowed to receive at the rate of five (5) per centum per annum for all moneys after they become due on any bond, bill, promissory note, or other instrument of writing; on money lent or advanced for the use of another; on money due on the settlement of account from the day of liquidating accounts between the parties and ascertaining the balance on money received to the use of another, and retained without the

7 owner's knowledge, and on money withheld by an unreasonable and vexa-  
8 tious delay of payment.

Section 3. Judgments recovered before any court or magistrate shall draw  
2 interest at the rate of five (5) per centum per annum from the date of the  
3 same until satisfied. When judgment is entered upon any award, report or  
4 verdict, interest shall be computed at the rate aforesaid, from the time  
5 when made or rendered to the time of rendering judgment upon the same,  
6 and made a part of the judgment.

Section 4. In all written contracts, it shall be lawful for the parties to  
2 stipulate or agree that seven (7) per cent. per annum, or any less sum of  
3 interest, shall be taken and paid upon every one hundred dollars (\$100) of  
4 money loaned or in any manner due and owing from any person or corpo-  
5 ration to any other person or corporation in this State, and after that rate  
6 for a greater or less sum, or for a longer or shorter time, except as herein  
7 provided.

Section 6. If any person or corporation in this State shall contract to  
2 to receive a greater rate of interest or discount than seven (7) per cent.  
3 upon any contract, verbal or written, such person or corporation shall for-  
4 feit the whole of said interest so contracted to be received, and shall be  
5 entitled only to recover the principal sum due to such person or corporation.  
6 And all contracts executed after this act shall take effect, which shall provide  
7 for interest or compensation at a greater rate than herein specified, on account  
8 of non-payment at maturity, shall be deemed usurious, and only the principal  
9 sum due thereon shall be recoverable.

Section 8. Whenever any written contract, wherever payable, shall be  
2 made in this State, or between citizens or corporations of this State, or a  
3 citizen or corporation of this State and a citizen or corporation of any other  
4 State, territory or country, (or shall be secured by mortgage or trust deed  
5 on lands in this State), such contract may bear any rate of interest allowed  
6 by law, to be taken or contracted for by persons or corporations in this

7 State or which is or which may be allowed by law on any contract for  
8 money due or owing in this State: *Provided, however,* that such rate of in-  
9 terest shall not exceed seven per cent. per annum. And if any such person  
10 or corporation shall contract to receive a greater rate of interest or discount  
11 than seven per cent. upon any such contract, such person or corporation  
12 shall forfeit the whole of said interest so contracted to be received, and  
13 shall be entitled only to recover the principal sum due to such person or  
14 corporation.



1. Introduced by Mr. Caldwell, January 28, 1891, and ordered to first reading.
2. First reading January 28, 1891, and referred to Committee on Banks and Banking.
3. Referred back February 5, 1891, passage recommended, and ordered to second reading.
4. Second reading February 11, 1891, amended, and ordered to third reading.

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## A BILL

For an act to amend sections one, two, three, four, six and eight of an act entitled "An act to revise the law in relation to the rate of interest, and to repeal certain acts therein named," approved May 24, 1879, in force July 1, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one, two, three, four, six and eight of an act entitled "An act to revise the law in relation to the rate of interest, and to repeal certain acts therein named," approved May 24, 1879, in force July 1, 1879, be amended so as to read as follows:

Section 1. That the rate of interest upon the loan or forbearance of any money, goods or thing in action, shall be five dollars (\$5) upon one hundred dollars (\$100) for one year, and after that rate for a greater or less sum, or for a longer or shorter time, except as herein provided.

Section 2. Creditors shall be allowed to receive at the rate of five (5) per centum per annum for all moneys after they become due on any bond, bill, promissory note, or other instrument of writing; on money lent or advanced for the use of another; on money due on the settlement of account from the day of liquidating accounts between the parties and ascertaining the

6 balance on money received to the use of another, and retained without the  
 7 owner's knowledge, and on money withheld by an unreasonable and vexa-  
 8 tious delay of payment.

Section 3. Judgments recovered before any court or magistrate shall draw  
 2 interest at the rate of five (5) per centum per annum from the date of the  
 3 same until satisfied. When judgment is entered upon any award, report or  
 4 verdict, interest shall be computed at the rate aforesaid, from the time  
 5 when made or rendered to the time of rendering judgment upon the same,  
 6 and made a part of the judgment.

Section 4. In all written contracts it shall be lawful for the parties to  
 2 stipulate or agree that seven (7) per cent. per annum, or any less sum of  
 3 interest, shall be taken and paid upon every one hundred dollars (\$100) of  
 4 money loaned or in any manner due and owing from any person or corpo-  
 5 ration to any other person or corporation in this State, and after that rate  
 6 for a greater or less sum, or for a longer or shorter time, except as herein  
 7 provided.

Section 6. If any person or corporation in this State shall contract to  
 2 receive a greater rate of interest or discount than seven (7) per cent. upon  
 3 any contract, verbal or written, such person or corporation shall forfeit the  
 4 whole of said interest so contracted to be received, and shall be entitled  
 5 only to recover the principal sum due to such person or corporation. And all  
 6 contracts executed after this act shall take effect, which shall provide for in-  
 7 terest or compensation at a greater rate than herein specified, on account  
 8 of non-payment at maturity, shall be deemed usurious, and only the prin-  
 9 cipal sum due thereon shall be recoverable.

Section 8. When any written contract, wherever payable, shall be made  
 2 in this State, or between citizens or corporations of this State, or a citizen  
 3 or corporation of this State and a citizen or corporation of any other State,  
 4 territory or country, (or shall be secured by mortgage or trust deed on lands  
 5 in this State), such contract may bear any rate of interest allowed by law,



6 to be taken or contracted for by persons or corporations in this State or  
7 which may be allowed by law on any contract for money due or owing in  
8 this State: *Provided however,* that such rate of interest shall not exceed  
9 seven per cent. per annum. And if any such person or corporation shall  
10 contract to receive a greater rate of interest or discount than  
11 seven per cent. upon any such contract, such person or corporation  
12 shall forfeit the whole of said interest so contracted to be received, and  
13 shall be entitled only to recover the principal sum due to such person or  
14 corporation.

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1. Introduced by Mr. Bass January 28, 1891, and ordered to first reading.
  2. First reading January 28, 1891, and referred to Committee on Judicial Department and Apportionment.
  3. Reported back March 6, 1891, passage recommended and ordered to second reading.
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## A BILL

For an act to prevent the mutilation of horses.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That whoever cuts the solid part of the tail of any  
3 horse in the operation known as docking, or any other operation performed  
4 for the purpose of shortening the tail, and whoever shall cause the same to  
5 be done, or assist in doing such cutting, unless the same is proved to be a  
6 benefit to the horse, shall be punished by imprisonment in the county jail  
7 not exceeding one year, or by fine of not less than twenty-five dollars nor  
8 more than two hundred dollars.



1. Introduced by Mr. Bass, January 29, 1891, and ordered to first reading.
2. First reading January 29, 1891, and referred to Committee on Revenue.
3. Reported back March 27, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 86 of an act entitled "An act for the assessment of property and for the levy and collection of taxes."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 86 of an act entitled "An act for the  
3 assessment of property and for the levy and collection of taxes," approved  
4 March 30, 1872, be and the same is hereby amended so as to read as fol-  
5 lows:

Section 86. In counties under township organization the assessor, clerk  
2 and supervisor of the town shall meet on the fourth Monday of June for  
3 the purpose of revising the assessment of property in such town. And on  
4 the application of any person considering himself aggrieved or who shall  
5 complain that the property of another is assessed too low, they shall revise  
6 the assessment and correct the same as shall appear to them just. No com-  
7 plaint that another is assessed too low shall be acted upon until the person  
8 so assessed or his agent shall be notified in writing of such complaint, if a  
9 resident of the county.

10 Any two of such officers meeting are authorized to act, and they may ad-  
11 journ from day to day upon notifying those present of the date to which  
12 they adjourn until they shall have finished the hearing of all cases pre-  
13 sented to them.

14 Property assessed after the fourth Monday of June, and all other prop-  
15 erty whereof the owner or his agent has made application to the town  
16 board to have the assessment on the same revised as provided by this  
17 section, and has given notice in writing to said board that he will appeal  
18 from its decision to the county board shall be subject to complaint to the  
19 county board, and the county board shall revise and correct the assessment  
20 upon the same upon application of the owner or his agent, as provided by  
21 section 97 of this act, and if it shall appear that the same has been assessed  
22 higher in proportion than other lands in the same neighborhood, the county  
23 board shall revise and correct the same and make such reduction in said  
24 assessment as shall be just and right.

1. Introduced by Mr. Wells January 29, 1891, and ordered to first reading.
2. First reading January 29, 1891, and referred to Committee on Building and Loan Associations.
3. Reported back March 4, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to amend an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, and as amended by an act in force July 1, 1887, by adding thereto one additional section to be known as section 15.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That an act entitled, "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association," in force July 1, 1879, and as amended by an act in force July 1, 1887, be and the same is hereby amended by adding thereto one additional section to be known as section fifteen, to read as follows:

Section 15. The secretary of every such association shall, within sixty (60) days after the close of the fiscal year of such association, file with the Auditor of Public Accounts and also with the county clerk in the county, where such association is located, a statement under oath of its receipts and expenditures for the year in detail, and its assets and liabilities in detail, the number of shares issued and withdrawn in each series of stock, also the number of shares in force in each series of stock and the number

8 of shares loaned upon in each series of stock, the installments paid per  
9 share and profits per share and value per share of each series of stock  
10 such statement shall also be verified and attested to by at least three members  
11 of such association not officers thereof. And any secretary of any such  
12 association, who shall willfully and knowingly make any false or untrue  
13 statement or account to the Auditor of Public Accounts or county clerk, in  
14 pursuance of the provisions of this act, shall be deemed guilty of perjury,  
15 and shall be punished accordingly, and any secretary of any such associa-  
16 tion who shall willfully neglect or refuse to comply with the provisions of  
17 this act shall be subject to a fine of not less than twenty-five dollars nor  
18 more than two hundred dollars for each offense. The same may be recov-  
19 ered on complaint before any court of competent jurisdiction for the bene-  
20 fit of the county wherein said offending association is located.

21 It shall be the duty of such county clerk to record such statements in a  
22 book to be kept by him for that purpose.



1. Introduced by Mr. Bass January 29, 1891, and ordered to first reading.
2. First reading January 29, 1891, and referred to the Committee on Judiciary.
3. Reported back March 25, 1891, and ordered to be printed for Committee.

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## A BILL

For an act to amend an act entitled "An act to revise the law in relation to dower," approved March 4, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That an act entitled "An act to revise the law in  
3 relation to dower," approved March 4, 1874, be amended by adding three ad-  
4 ditional sections to said act, as follows:

Section 48. The owner in fee of any real estate, when any married  
2 woman or married man has an inchoate right of dower therein may by bill  
3 in chancery in any court having chancery jurisdiction in the county where  
4 such land or a portion thereof lies, make application to such court to set  
5 off and assign to such husband or wife so having such inchoate right of  
6 dower, one-third part of such real estate, and in which portion so set off  
7 and assigned such husband or wife so entitled to such inchoate right of  
8 dower shall have an estate during his or her life, commencing with the  
9 death of the husband or wife of the person having such right of dower.  
10 And when such dower is so assigned and set off, the remaining two-thirds  
11 of such real estate shall immediately become free, clear and relieved from  
12 all claim of dower of such husband or wife having such inchoate right.  
13 The person so having such inchoate right of dower shall be made party de-  
14 fendant to such bill, and may be summoned in the same manner as de-

15 defendants to other suits in chancery, and such court shall have power and  
16 shall proceed to determine the rights of the parties as in other chancery  
17 cases, and to assign and set off one third part of said premises to the per-  
18 son having such inchoate right, and for that purpose shall appoint com-  
19 missioners of the character as required in cases of dower where consummate,  
20 and such commissioners shall take in substance the following oath:

21 I do solemnly swear that I will fairly and impartially allot and set off to  
22 (A. D., wife or husband of C. D.) out of the lands and tenements de-  
23 scribed in the order of the court for that purpose one-third part thereof to  
24 be held and enjoyed by said (A. B.) after the death of said (C. D.) for and  
25 during (his or her) natural life.

26 After which said commissioners shall go upon the premises, and if the  
27 same are susceptible of division without manifest prejudice to the parties  
28 in interest, shall set off and allot to such defendant one-third part of said  
29 premises by metes and bounds according to quality and quantity. Such  
30 dower need not be assigned in each tract separately, but may be allotted in  
31 a body out of one or more of the tracts of land when the same can be  
32 done without prejudice to the interest of any person interested in the  
33 premises.

34 The commissioners shall make report in writing, showing what they have  
35 done, and the value of the whole of said premises and if they have made  
36 division, describing the premises allotted by metes and bounds or other  
37 proper description, and the allotment so made, if approved by the court,  
38 shall give the person so having such inchoate right of dower a contingent  
39 life estate therein, which shall become vested only on condition that such  
40 person shall survive his or her wife or husband, upon whose death such  
41 inchoate right would have become consummate. The rights and duties of  
42 such surviving person in the premises so allotted shall be the same and  
43 not otherwise as if said premises had been assigned and allotted to her or  
44 him after the death of her or his spouse.

Section 49. If such commissioners shall find they cannot divide such real estate without damage or great injury to the whole, they shall report to the court, and also report the valuation of the entire premises, and thereupon the court shall determine and assess the present worth of such dower interest, based upon such valuation, and may for that purpose ascertain the respective ages of the husband and wife and ascertain the expectation of life of each, and may for that purpose consult mortality tables commonly in use by life insurance companies, or hear and receive other evidence pertaining thereto, which amount, when so ascertained and determined by said court, shall be a lien upon said premises until paid, and for the payment of which said premises may be sold under the order of the court if not paid within ten days after such decree.

Section 50. Either the person so having such inchoate right of dower, or the owner of the fee may at any time after commencement of such suit, and prior to the approval by the court of the report made by such commissioners, elect to have the present worth of such dower appraised by the court, as provided in last previous section, in lieu of the allotment and assignment thereof out of said premises, which election shall be in writing and filed in said cause, and shall be entered and recorded with the final decree determining the amount thereof, and thereupon such court shall assess the same, and the amount so ascertained shall be a lien and be enforced as in last section.



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1. Introduced by Mr. Newell, January 29, 1891, and ordered to first reading.
  2. First reading January 29, 1891, and referred to Committee on Mines and Mining.
  3. Reported back March 2, 1891, and ordered to be printed for use of Committee.
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## A BILL

For an act to require inspectors of mines to furnish information to the State Geologist, and to provide for paying the expenses of the same.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That in addition to the duties now prescribed by  
3 law, it shall hereafter be the duty of the State inspectors of coal mines to  
4 procure for, and under the direction of, the State Geologist, a true record  
5 of the various strata through which coal shafts are sunk, or borings for  
6 coal, oil, gas or artesian water are made in their respective districts; also  
7 to determine the altitude of the top of said shafts or bore-holes, above  
8 some specified point on the nearest railroad, or other point whose elevation  
9 may be readily ascertained; and also to determine the dip of the coal  
10 stratum in all mines which are being operated. The additional duties here-  
11 in prescribed for said inspectors shall be discharged at such times and in  
12 such manner as not to interfere with their primary duties as inspectors of  
13 mines, and they shall report the results of their observations, from time to  
14 time, to the State Geologist.

§ 2. The actual and necessary traveling expenses of said inspectors, in

the discharge of their public duties, shall be allowed and paid from the same fund and in the same manner as that in which compensation for their services is now paid, and upon itemized quarterly accounts, verified by affidavit, and approved by the secretary of the Commissioners of Labor Statistics, and the Governor.

1. Introduced by Mr. Newell January 29, 1891, and ordered to first reading.
2. First reading January 29, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to require inspectors of mines to furnish information to the State Geologist, and to provide for paying the expenses of the same.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in addition to the duties now prescribed by law, it shall hereafter be the duty of the State inspectors of coal mines to procure for, and under the direction of, the State Geologist, a true record of the various strata through which coal shafts are sunk, or borings for coal, oil, gas or artesian water are made in their respective districts; also to determine the altitude of the top of said shafts or bore holes, above some specified point on the nearest railroad, or other point whose elevation may be readily ascertained; and also to determine the dip of the coal stratum in all mines which are being operated. The additional duties herein prescribed for said inspectors shall be discharged at such times and in such manner as not to interfere with their primary duties as inspectors of mines, and they shall report the results of their observations, from time to time, to the State Geologist.

§ 2. The actual and necessary traveling expenses of said inspectors, in

2 the discharge of their public duties, shall be allowed and paid from the  
3 same fund and in the same manner as that in which compensation for their  
4 services is now paid, and upon itemized quarterly accounts, verified by  
5 affidavit, and approved by the secretary of the Commissioners of Labor  
6 Statistics, and the Governor.



1. Introduced by Mr. Humphrey, January 29, 1891, and ordered to first reading.
2. First reading January 29, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to organize townships as park districts.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That whenever a petition signed by one hundred and fifty legal voters of any township shall be filed in the office of the town clerk of said town asking that said town, be organized as a park district, it shall be the duty of said town clerk to submit to the electors of said town at the next election to be held in said town the prayer of said petition, and the electors may vote for or against the same. The ballots shall read: "For park district," or "Against park district," and if a majority of all the votes cast for and against such park district shall be in favor of organizing said park district, then the same shall be so declared.

§ 2. The town clerk shall publish a notice of the submission of the prayer of said petition in same manner and for the same length of time as in cases of other town elections.

§ 3. Upon the declaration of the result of the ballot of such election, if the result of such election shall be in favor of the same the said town shall be declared to be a park district. It shall be known as the park district of

4 (the town of ..... name: .....), and such declaration shall be  
5 forwarded to the Governor of the State and by him filed in office of the  
6 Secretary of State.

§ 4. When the Governor of the State shall be advised of the organization  
2 of any town as a park district, as set forth in the foregoing sections, he  
3 shall by and with the advice and consent of the senate appoint six electors  
4 of said town as park commissioners, who shall hold their office until their  
5 successors are appointed and qualified. At the first meeting of said park  
6 commissioners and annually thereafter they shall choose some elector of said  
7 town as their president for a term of one year, who shall vote only in case  
8 of a tie. At the same meeting, the said park commissioners shall be divided  
9 by lot into three (3) classes; those of the first class shall continue in office  
10 for one year, those of the second class for two years, those of the third  
11 class for three years, and annually thereafter there shall be appointed two  
12 park commissioners for a term of three years.

§ 5. Said park commissioners shall be the corporate authorities of said  
2 town and shall have such powers and perform such duties as shall be given  
3 or imposed under the general laws of this State to or upon other park  
4 commissioners of towns organized or established as park districts, and shall  
5 be known as the board of park commissioners of (the town of "name").

§ 6. Whereas, there are certain towns desiring to be organized as park  
2 districts at the coming April election, and whereas, there is no provision  
3 made for the same, an emergency exists that this act shall take immediate  
4 effect, therefore this act shall take effect and be in force from and after its  
5 passage.

1. Introduced by Mr. Humphrey, January 29, 1891, and ordered to first reading.
2. First reading January 29, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.
4. Second reading May 13, 1891, amended and ordered to third reading.

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## A BILL

For an act to organize townships as park districts.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever a petition signed by one hundred and fifty legal voters of any township shall be filed in the office of the town clerk of said town, asking that said town be organized as a park district, it shall be the duty of said town clerk to submit to the electors of said town at the next election to be held in said town the prayer of said petition, and the electors may vote for or against the same. The ballots shall read: "For park district," or "Against park district," and if a majority of all the votes cast for and against such park district shall be in favor of organizing said park district, then the same shall be so declared.

§ 2. The town clerk shall publish a notice of the submission of the prayer of said petition in some manner and for the same length of time as in cases of other town elections.

§ 3. Upon the declaration of the result of the ballot of such election, if the result of such election shall be in favor of the same the said town shall be declared to be a park district. It shall be known as the park district of

4 (the town of ..... name.....), and such declaration shall be  
 5 forwarded to the Governor of the State and by him filed in the office of the  
 6 Secretary of State.

§ 4. When the Governor of the State shall be advised of the organization  
 2 of any town as a park district, as set forth in the foregoing sections, he  
 3 shall by and with the advice and consent of the senate appoint six electors  
 4 of said town as park commissioners, who shall hold their office until their  
 5 successors are appointed and qualified. At the first meeting of said park  
 6 commissioners and annually thereafter they shall choose some elector of said  
 7 town as their president for a term of one year, who shall vote only in case  
 8 of a tie. At the same meeting, the said park commissioners shall be divided  
 9 by lot into three (3) classes; those of the first class shall continue in office  
 10 for one year, those of the second class for two years, those of the third  
 11 class for three years, and annually thereafter there shall be appointed two  
 12 park commissionens for a term of three years.

§ 5. Said park commissioners shall be the corporate authorities of said  
 2 town and shall have such powers and perform such duties as shall be given  
 3 or imposed under the general laws of this State to or upon other park  
 4 commissioners of towns organized or established as park districts, and shall  
 5 be known as the board of park commissioners of (the town of.....name.....)

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1. Introduced by Mr. Loeper January 30, 1891, and ordered to first reading.
  2. First reading January 30, 1891, and referred to Committee on Judicial Department and Apportionment.
  3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to prevent distilleries from dumping any mash, slop or any other material that has been subject to the process of distillation into any stream, creek or lake.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person, persons or corporations to dump, or allow to be dumped, into any stream or lake in the State of Illinois any mash, slop or any kind of material that has gone through the process of distillation. Any person, persons or corporation violating this act shall be subject to a fine of one thousand dollars, such fine, when collected, to be paid into the school fund of the county where the offense has been committed.



1. Introduced by Mr. Sheridan January 30, 1891, and ordered to first reading.
2. First reading January 30, 1891, and referred to Committee on Judiciary.
3. Reported back April 9, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to protect owners of mares from breeding to diseased or weak-eyed stallions and jacks.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever shall, knowingly, let to any mare, for breeding purposes, any stallion or jack which is diseased or weak-eyed, without the owner of said mare being informed of or knowing the fact, shall be guilty of a misdemeanor, and for each and every such misdemeanor shall be fined not less than twenty five (\$25) nor more than one hundred dollars (\$100), or confined in the county jail not exceeding six months, or both, in the discretion of the court.





1. Introduced by Mr Fuller, February 3, 1891, and ordered to first reading.
2. First reading February 3, 1891, and referred to Committee on Banks and Banking.
3. Reported back March 26, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act concerning mutual savings banks.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That any twelve or more persons, citizens of this  
3 State, two-thirds of whom shall reside in the county where the proposed  
4 savings bank is to be located, may become incorporated by associating  
5 themselves together for the purpose of organizing a mutual savings bank,  
6 in accordance with the provisions of this act who shall, under their hands  
7 and seals, execute articles of association, setting forth:

8 First The name assumed.

9 Second The location, designating the city, village or town where its  
10 principal office is to be located.

11 Third The name, residence, occupation and postoffice address of each  
12 member.

13 Fourth A declaration that each member will accept the responsibilities  
14 and faithfully discharge the duties of a trustee thereof, according to the  
15 provisions of this act.

§ 2. Such articles shall be executed in duplicate, and duly acknowledged  
2 before an officer, in the manner provided for the acknowledgment of deeds,

3 and sent to the superintendent of the banking department. A notice of  
4 intention to organize such corporation shall be published at least once a  
5 week for four successive weeks previous to filing such articles, in some news-  
6 paper of general circulation published in the city, town or village where  
7 such corporation is proposed to be located, or nearest thereto, which notice  
8 shall specify the matter set forth in the articles under the first, second and  
9 third clauses of section one of this act; and if there be any corporation  
10 doing business as a savings bank in such county, a copy of such notice  
11 shall be sent to each of them at least fifteen days before filing said articles  
12 with the superintendent. If the superintendent shall be satisfied that proper  
13 publication and service, in good faith, of the notice aforesaid, has been  
14 made, that the incorporators are responsible as to character, financial ability  
15 and general fitness for the discharge of the duties appertaining to such a  
16 trust, and that the organization proposed will be a public benefit, he shall  
17 endorse his recommendation thereon, retaining one copy to be filed in his  
18 office, and shall file one copy in the office of the Secretary of State, who  
19 shall issue, under his hand and seal of State, to the persons recommended  
20 by the superintendent, a certificate incorporating such persons under this  
21 act by the name assumed, making a part thereof a copy of all papers filed  
22 in his office in and about the organization thereof; but no certificate shall  
23 be issued to two associations bearing the same or a materially similar name;  
24 and no person shall be named therein who shall not have duly made and  
25 acknowledged the declaration prescribed by sub-division four of section one  
26 of this act, which certificate so issued shall be recorded in a book for that  
27 purpose in the office of the recorder of deeds of the county where such  
28 corporation is located. Any such corporation that shall not begin business  
29 within one year after authorization shall forfeit its rights and privileges  
30 under this act.

§ 3. Upon the filing of such certificate for record, as aforesaid, the persons

2 named therein and their successors shall thereupon and thereby be duly and  
3 lawfully constituted a body corporate and politic, by the name in such cer-  
4 tificate mentioned, and by that name shall have perpetual succession, may  
5 sue and be sued, complain and defend in any court of law or equity, and  
6 shall be vested with all the powers and charged with all the liabilities con-  
7 ferred and imposed by this act, and may make and use a common seal, and  
8 alter or renew the same at pleasure.

TRUSTEES.

§ 4. The persons named in the certificate issued as aforesaid, shall be the  
2 first trustees of such corporation, and all vacancies in the office of trustee  
3 shall be filled by the board, by ballot, without unnecessary delay, and the  
4 vote of the majority of the remaining members of the board shall be neces-  
5 sary to elect a trustee.

§ 5. The business of every such corporation shall be managed and directed  
2 by a board of trustees of not less than twelve, who shall select from their  
3 number a president and two vice-presidents, and may elect from thier number  
4 or otherwise such other officers and agents as they may deem expedient; and  
5 a vote of a majority of the full board shall be requisite for the appointment  
6 of any officer receiving a salary therefrom, or to fix or to increase the salary  
7 of any officer, but such majority shall be composed exclusive of any trustee  
8 receiving any salary or compensation for services as an officer of said cor-  
9 poration.

§ 6. No trustee shall, as such, directly or indirectly, receive any pay or  
2 emolument for his services, except as provided in section eighteen, and no  
3 trustee, officer or servant of such corporation shall, directly or indirectly, for  
4 himself or as the agent or partner of others, borrow any of the funds of the  
5 said corporation or in its custody, or in any manner use the same, except to  
6 make necessary current payments or to make investments, or to deposit for  
7 safety under the direction and by authority of the board of trustees; nor

8 shall any trustee, officer or servant of such corporation be an endorser or  
 9 surety, or in any manner be an obligor, for moneys loaned by or borrowed  
 10 of such corporation.

§ 7. The board of trustees of any such corporation shall have power, from  
 2 time to time to make such by-laws, rules and regulations as they may think  
 3 proper for the election of officers, for prescribing their respective powers and  
 4 duties, and the manner of discharging the same; for the appointment and  
 5 duties of committees, and generally for transacting, managing and directing  
 6 the affairs of the corporation: *Provided*, such by-laws, rules and regulations  
 7 be not repugnant to nor inconsistent with the provisions of this act, to the  
 8 constitution and laws of this State or of the United States, a copy of which  
 9 by-laws and any amendments thereto shall be transmitted to the superintend-  
 10 ent. The trustees of any such society shall have the power, and it shall be  
 11 their duty, to require of the officers, clerks and agents of the society such  
 12 bond for their fidelity and the faithful performance of their duties, as they  
 13 shall deem necessary, or as shall be required by the superintendent of the  
 14 banking department; such bonds shall be made payable to the People of the  
 15 State of Illinois, for the use of any person interested, and shall be filed with  
 16 and approved by such superintendent.

#### MEETINGS.

§ 8. Regular meetings of the board of trustees shall be held as often as  
 2 once in each month, for the purpose of receiving the reports of their officers  
 3 and committees, and for the transaction of other business. A quorum at  
 4 any regular, special or adjourned meeting shall consist of not less than seven  
 5 trustees, of whom the president or presiding vice-president shall be one, but  
 6 less than a quorum may adjourn from time to time, or until the next regular  
 7 meeting.

§ 9. Whenever a trustee of such corporation shall hereafter become a  
 2 trustee or employe in any other savings bank, or remove from the State, or

3 shall borrow, directly or indirectly, any of the funds of the savings bank  
 4 of which he is trustee, or become a surety or guarantor for any money  
 5 borrowed of, or loan made by such corporation, or upon his failure to attend  
 6 regular meetings of the board, or to perform any of the duties devolved  
 7 upon him as such trustee for six successive months, without having been  
 8 excused by the board for such failure, the office of such trustee shall there-  
 9 upon become vacant; but the trustee vacating his office for failure to attend  
 10 meetings or to discharge his duties, may, in the discretion of the board, be  
 11 eligible to re-election.

#### DEPOSITS FOR INVESTMENT.

§ 10. It shall be lawful for any such savings corporation to receive on  
 2 deposit any sums of money for accumulation and safe keeping that may be  
 3 offered for that purpose by any person, corporation or society, and to invest,  
 4 hold and repay the same, and declare credit and pay dividends thereon as  
 5 herein authorized and provided, and not otherwise.

#### INVESTMENTS AND LOANS.

§ 11. All sums received and the income derived therefrom, and all  
 2 moneys intrusted to any such corporation by order of court or other lawful  
 3 authority, shall be invested only as follows:

4 First In stocks, or bonds, or interest bearing notes or obligations of the  
 5 United States, or securities for the payment of which the faith of the  
 6 United States is pledged, including the bonds of the District of Columbia.

7 Second In stocks or bonds of this State bearing interest.

8 Third In stocks or bonds of any State in the union which has not  
 9 within three years previous to making such investment by such corporation  
 10 defaulted in the payment of any part of either principal or interest  
 11 thereof.

12 Fourth In the stocks or bonds, or other obligations of any city, county,  
 13 town, village or district of this State.

14 Fifth—In the stocks or bonds of any city or county in the New England  
 15 States, or States of New York, New Jersey, Pennsylvania, Ohio, Indiana,  
 16 Michigan, Iowa, Missouri, Kansas, Nebraska, North Dakota, South Dakota,  
 17 Wisconsin, or Minnesota, and in such other States as the General Assembly  
 18 may hereafter prescribe, issued pursuant to the authority of any law of  
 19 such State: *Provided*, the entire bonded indebtedness of such city or county  
 20 shall not exceed five per cent. of the assessed value of the taxable property  
 21 therein, as shown by the last assessment preceding the investment.

22 Sixth—In the stocks of any bank, banking association or trust company  
 23 in the State, organized under any law or laws of this State, or the United  
 24 States: *Provided*, no such corporation shall hold more than five per cent. of  
 25 the stock of any such bank or trust company, nor more than ten per cent.  
 26 of its funds shall be invested in such securities.

27 Seventh—In the mortgage bonds of any railroad company of approved  
 28 credit, located in any of the States aforesaid, which has paid dividends of  
 29 not less than four per centum per annum regularly on its entire capital  
 30 stock for not less than five consecutive years next preceding such invest-  
 31 ment, and which are a first lien upon the railroad pledged to secure the  
 32 same; or in the consolidated mortgage bonds of any railroad company char-  
 33 tered by this State, authorized to be issued to retire the entire bonded debt  
 34 of such company, or in the collateral trust bonds of any railroad company  
 35 chartered in this State, where the underlying bonds pledged to secure them  
 36 are a first lien upon the property mortgaged: *Provided*, said company has  
 37 paid dividends as aforesaid: *And provided, further*, that no savings corpo-  
 38 ration shall hold more than ten per cent. of its funds in the bonds of any  
 39 one railroad company, nor more than twenty-five per cent. of its funds shall  
 40 be invested in railroad securities.

41 Eighth—In bonds or notes secured by mortgage on unincumbered real  
 42 estate located in any of the States aforesaid, worth at least twice the amount

43 loaned thereon, but not to exceed sixty per cent. of the whole amount of  
 44 its funds shall be so loaned or invested; nor shall more than thirty per  
 45 cent. of the whole amount of its funds be so invested on real estate located  
 46 outside of the State of Illinois; but in case the loan is on unimproved or  
 47 unproductive real estate, the amount loaned thereon shall not be more than  
 48 one-third of its actual value; and no investment in any bond or note and  
 49 mortgage shall be made except upon the report of a committee charged with  
 50 the duty of investigating the same, who shall certify to the value of the  
 51 premises mortgaged, or to be mortgaged, according to their best judgment,  
 52 and such report shall be filed and preserved among the records of the in-  
 53 stitution

54 Ninth. In real estate, subject to the provisions of section thirteen of this  
 55 act; and in such other securities as the legislature shall hereafter prescribe.

§ 12. It shall be the duty of the trustees of any such corporation, as soon  
 2 as practicable, to invest such fund of money, by purchase or otherwise, in  
 3 the securities named in section eleven of this act, except that for the  
 4 purpose of meeting current payments and expenses in excess of the current  
 5 receipts, any of the securities may be sold or pledged; and there may be  
 6 kept an available fund of not exceeding twenty per cent. of the whole amount  
 7 of its assets, and the same, or any part thereof, together with the excess  
 8 of current receipts over the payments, may be kept on hand or on deposit  
 9 in any bank or banking association in the State of Illinois, organized under  
 10 any law or laws of this State or of the United States, or with any trust  
 11 company incorporated by any law of this State; but the sum so deposited  
 12 in any one bank or trust company shall not exceed twenty-five per cent.  
 13 of its paid up capital and surplus; or such available fund, or any part  
 14 thereof, may be loaned upon pledge of any of the securities named in this  
 15 act, but not exceeding ninety per cent. of the cash market value of such  
 16 securities so pledged, nor in excess of the par value thereof. And should

17 any of the securities so held in pledge depreciate in value after making  
18 any loan thereon, it shall be the duty of the trustees to require the  
19 immediate payment of such loan or of a part thereof or additional security  
20 therefor, so that the amount loaned shall at no time exceed ninety per cent.  
21 of the market value of the securities pledged therefor.

§ 13. It shall be lawful for such corporation to purchase, hold, sell and  
2 convey real estate only as follows:

3 First—A site whereon is erected or may be erected a building or buildings  
4 requisite for the convenient transaction of its business, and from portions  
5 of which, not required for its own use, a revenue may be derived; the cost  
6 not to exceed five per cent. of the whole fund of such corporation, except  
7 by written permission of the superintendent of the banking department

8 Second—Such as shall be purchased by it at sales upon the foreclosure of  
9 mortgages held by such corporation, or upon judgments or decrees rendered  
10 for debts due to it, or in settlements to secure such debts, or for tax liens;  
11 and all such real estate mentioned in this clause shall be sold by such  
12 corporation within five years after the same shall be vested in it, unless the  
13 superintendent shall extend the time in writing within which such sale shall  
14 be made. And such corporation may, with the approval of the superin-  
15 tendent, had in writing, change its location within the limits of the city or  
16 town wherein it may be established, and in effecting such change may  
17 purchase such additional plot, under the provisions of subdivision one of  
18 this section, as it may require, and its former site shall be sold, as provided  
19 in subdivision two of this section.

§ 14. In making loans upon real estate, the expenses of searches, examina-  
2 tions and certificates of title or appraisals of value, and of drawing, perfecting  
3 and recording papers, shall be paid by the borrower, if required by the  
4 trustees, and whenever buildings are included in the valuation of any real  
5 estate upon which a loan shall be made, they shall be insured by the



6 mortgagor for the benefit of the savings bank during the continuance of the  
7 loan, and it shall be lawful for such corporation to renew such insurance  
8 in the same or any other companies, from year to year, or otherwise, as the  
9 trustees may elect. The necessary charges and expenses paid therefor shall  
10 be paid by such borrower, and until so paid shall be an additional lien  
11 upon the mortgaged premises, recoverable, with interest from the time of  
12 payment, as part of the moneys secured to be paid by such mortgage.

#### PROHIBITIONS.

§ 15. It shall be unlawful for any such corporation to deal or trade in  
2 real estate, except as provided in section eleven of this act, or to loan money  
3 upon or to discount, collect, protest, or deal in notes, bills of exchange or  
4 other personal security, but may pay its depositors on request by draft on  
5 Chicago at current rates; or to deal in any goods, wares, merchandise or  
6 commodities whatever, except as authorized by the terms of this act and  
7 except such personal property as may be necessary in the transaction of its  
8 business as by this act authorized. And the investment in any securities  
9 not named in this act or amendments thereto shall be deemed a misde-  
10 meanor on the part of the trustees authorizing or officers making the same,  
11 who shall be subject to fine in any sum not more than five hundred dollars  
12 for each offense. It shall be unlawful for any person, firm or company not  
13 authorized by this act or heretofore authorized thereto by the laws of this  
14 State to advertise or put forth a sign as a savings bank, or use the word  
15 "savings" in its corporate name; any violation of this provision shall be  
16 deemed a misdemeanor punishable by a fine of one hundred dollars for  
17 every day such offense shall be continued, recoverable for the use of the  
18 savings fund and paid into the State treasury.

#### WITHDRAWALS.

§ 16. The sums deposited, together with any dividends or interest credited  
2 thereto, may be withdrawn by the depositors or their legal representatives,

3 at such time or times after demand, and after such previous notice, and  
 4 under such reasonable regulations, as the board of trustees shall from time to  
 5 time provide, on production of and proper entry in the pass-book at the time  
 6 of such payment, which regulations shall be put up in some conspicuous place  
 7 in the room where the business of such corporation shall be transacted, and  
 8 may be printed in the pass books, and which shall be evidence of the terms  
 9 upon which the deposits therein acknowledged are made. The trustees may  
 10 provide for making payments in cases of loss of pass-book or other excep-  
 11 tional cases where it cannot be produced without loss or serious inconveni-  
 12 ence to the parties, such right to cease, however, whenever so directed by  
 13 the superintendent. Money standing in the name of a minor may, at the  
 14 discretion of the trustees, be paid to such minor or his order, and the  
 15 same shall be a valid payment. The withdrawal of any sum by or pay-  
 16 ment to a depositor shall operate as his relinquishment of all claims to  
 17 any undivided profits thereon. And every such corporation shall have the  
 18 right to limit the aggregate amount which they will receive from any  
 19 one person or society to such sum as they may deem expedient, and  
 20 may, in their discretion, refuse to receive any sum offered, and may  
 21 also, at any time, return all or part of any sum received: *Provided,*  
 22 that the aggregate amount that may be received from any one individual  
 23 or corporation shall not exceed three thousand dollars, exclusive of dividends;  
 24 but this limitation shall not apply to moneys arising from judicial sales or  
 25 trust funds, or to moneys of administrators, executors, guardians, religious  
 26 or charitable institutions, or if received pursuant to the order of a court of  
 27 record.

#### DIVIDENDS AND SURPLUS.

§ 17. It shall be the duty of the trustees of every such corporation to  
 2 regulate the rate of interest or dividends, not to exceed four per cent. per  
 3 annum upon the deposits therewith, in such manner that the depositors

4 shall receive, as nearly as may be, all the profits of such corporation, after  
5 deducting the necessary expenses, and reserving such amount as the trustees  
6 may deem expedient as a surplus, which, to the amount of fifteen per cent.  
7 of the entire deposits, the trustees may gradually accumulate and hold to  
8 meet any contingency or loss from depreciation of its securities or otherwise;  
9 *Provided, however,* that the trustees of any such corporation may classify  
10 their depositors according to the character, amount and duration of their  
11 dealings with the corporation, and regulate the interest or dividends allowed  
12 in such manner that each depositor shall receive the same ratable propor-  
13 tion of interest or dividends as all others of his class, and upon deposits  
14 made not later than the fifteenth day of January, April, July or October  
15 interest dividends may be allowed from the first day of such  
16 month. No dividends shall be declared until the trustees of such  
17 corporation cause an examination to be made, and find the amount  
18 thereof has actually accrued, and no dividend or interest shall be  
19 paid or credited except semi-annually, nor unless authorized by a  
20 vote, duly entered on the minutes, by ayes and nays, after such ex-  
21 amination. And whenever the surplus amounts to fifteen per cent.  
22 of the entire deposits, as aforesaid, the trustees shall, at least once in three  
23 years thereafter, divide equitably the accumulation beyond such authorized  
24 surplus as an extra dividend, in excess of the regular dividends hereinbefore  
25 authorized. Notices posted conspicuously in the room where the business  
26 of such corporation is transacted shall be equivalent to personal notice to  
27 each person or other party interested. In determining the per cent. of  
28 surplus so held, the interest-bearing stocks and bonds shall not be estimated  
29 above their par value, or above the market value, if below par; its bonds or  
30 notes and mortgages not in arrear of interest for a longer period than two  
31 years at their face; its real estate and tax liens at not above cost; and all  
32 other investments at such valuation as the superintendent shall from time

83 to time determine. The trustees shall make and publish a full and accurate  
34 quarterly statement of its affairs, which shall be certified to under oath by  
35 one or more of its officers.

#### COMPENSATION OF TRUSTEES.

§ 18. It shall be lawful for trustees acting as officers or committees of  
2 such corporation, whose duties require and receive their regular and faithful  
3 attendance at or for the bank, to receive such compensation as in the  
4 opinion of a majority of the board of trustees shall be just and reasonable;  
5 but such majority shall be exclusive of any trustee to whom such compen-  
6 sation shall be voted. But it shall not be lawful to pay trustees, as such,  
7 for their attendance at meetings of the board more than five dollars each  
8 for any regular monthly meeting at which they are personally present.

#### REPORTS.

§ 19. Every savings bank shall, on or before the first day of November,  
2 in each year, make a report in writing to the superintendent of the banking  
3 department, and in such form as he shall prescribe, of its condition on the  
4 morning of the first day of July preceding. Such report shall state the  
5 amount loaned upon bond or note and mortgage, the par value and esti-  
6 mated market value of all stock or bond investments, designating each par-  
7 ticular kind and amount invested in each; the amount loaned upon pledge  
8 of securities, with a statement of the securities held as collateral for such  
9 loans; the amount invested in real estate, giving cost of the same; the  
10 amount of cash on hand and on deposit in banks or trust companies, with  
11 their names and the amount deposited in each; the amount of all other  
12 assets, including accrued interest not enumerated above, and such other  
13 information as the superintendent may require. Such report shall also  
14 state all the liabilities on the morning of the said first day of July; the  
15 amount due to depositors, which shall include any dividend to be credited  
16 to them for the six months ending on that day, and any other claims

17 against such bank which are or may be a charge upon its assets. Such  
18 report shall also state the amount deposited during the fiscal year ending  
19 that day, and the amount withdrawn during the same period; the whole  
20 amount of interest or profit received or earned, and the amount of dividends  
21 credited to depositors, together with the amount of each semi-annual credit  
22 of interest; the number of accounts opened or reopened, the number closed  
23 during such year, and the number of open accounts at the end of such  
24 year; and also a statement like that provided for in paragraph third in  
25 section one of this act, and such other information as the superintendent  
26 may require.

#### EXAMINATION.

§ 20. The report shall be verified by oath of the two principal officers of  
2 the bank, and the statement of assets shall be verified by the oath of  
3 a majority of the trustees who examine the same, pursuant to the require-  
4 ments of this section; and any willful false swearing in regard to such  
5 report, or any report made to the superintendent pursuant to the provisions  
6 of this act, shall be deemed perjury, and be subject to the prosecutions and  
7 punishments prescribed by law for that offense. It shall be the duty of the  
8 trustees, by a committee of not less than three of such trustees, on or about  
9 the first day of July, in each year, to thoroughly examine the books, vouch-  
10 ers and assets of such bank and its affairs generally, and the statement  
11 of assets and liabilities reported to the superintendent for the first day  
12 of July in such year, shall be based upon such examination; but nothing  
13 herein contained shall be construed as prohibiting the trustees from requir-  
14 ing such examinations at such other times as they shall prescribe. Any sav-  
15 ings bank failing to furnish to the superintendent any report or state-  
16 ment required by this act to be made to him, at the time so required, shall  
17 forfeit the sum of one hundred dollars per day for every day such report or  
18 statement shall be so withheld; and the said superintendent may maintain

19 an action, in his name of office to recover such penalty, and when collected  
20 the same shall be paid into the treasury of the State and be applied to the  
21 expenses of the banking department; but the superintendent may for suffi-  
22 cient cause extend the time for making such report, not exceeding thirty  
23 days.

§ 21. It shall be the duty of the superintendent of the banking department  
2 on or before the first day of February in each assembly year to communicate  
3 to the Legislature a statement of the condition of every such bank from  
4 which a report has been received for the two preceding years; also the  
5 name and location of savings banks authorized by him during the two  
6 previous years, with the date of their incorporation.

#### SUPERVISION.

§ 22. It shall be the duty of the said superintendent, once in two years,  
2 either personally or by one or more competent persons to be appointed by  
3 him, to visit and examine every savings bank in this State. The superin-  
4 tendent shall also have the power in like manner to examine any such  
5 bank whenever in his judgment it may be deemed necessary or expedient.  
6 The said superintendent, and every such examiner, shall have power  
7 to administer an oath to any person whose testimony may be required on  
8 any such examination, and to compel the appearance and attendance of any  
9 such person for the purpose of such examination by summons, subpoena, or  
10 attachment, in the manner now authorized in respect to the attendance of  
11 persons as witnesses in the courts of record of this State; and all books  
12 and papers which it may be deemed necessary to examine by the superin-  
13 tendent, or examiner so appointed, shall be produced, and their production  
14 may be compelled in like manner; such savings bank shall not be required  
15 to make any other statement or report nor be subject to any other visitorial  
16 power than such as may be authorized by this act, except such as are vested

17 in the several courts of law and chancery. The expense of every such  
18 special examination, if any, shall be paid by the bank examined in such  
19 amount as the superintendent shall certify to be just and reasonable; but  
20 whenever such special examination shall be made by the superintendent in  
21 person, or by one or more of the regular clerks in his department, no charge  
22 shall be made, except for necessary traveling and other actual expenses.  
23 The result of any such examination shall be certified by the examiner, or  
24 one of them, upon the records of the bank examined, and the results of all  
25 the regular examinations during the previous two years shall be embodied  
26 in the biennial reports of the superintendent required by this act to be  
27 submitted to the Legislature.

§ 23. Whenever it shall appear to the said superintendent from any such  
2 examination or report, that any such bank has committed any violation  
3 of law, or is conducting its business in an unsafe or unauthorized manner,  
4 he shall, by an order under his hand and seal, direct the discontinuance of  
5 such illegal and unsafe or unauthorized practices, and strict conformity  
6 with the requirements of the law, and with safety and security in its  
7 transactions; and whenever any such bank shall refuse or neglect to  
8 make any such report as hereinbefore required, or to comply with any such  
9 order as aforesaid, or whenever it shall appear to the superintendent that  
10 it is unsafe or inexpedient for any such bank to continue to transact  
11 business, or that extraordinary withdrawals of money are jeopardizing the  
12 interests of remaining depositors, or that any trustee or officer has abused  
13 his trust, or been guilty of misconduct or malversation in his official  
14 position injurious to the bank, or that it has suffered a serious loss by  
15 fire, burglary, repudiation or otherwise, he shall communicate the facts to  
16 Attorney General, who shall thereupon institute such proceedings as  
17 the nature of case may require. Such proceeding may be for an order  
18 restraining such bank from paying out more than ten per cent. of

19 its funds in any six months, or until the further order of the court, or for  
20 the removal of one or more of the trustees, or for the transfer of the corporate  
21 powers to other persons, or to the consolidation and merger of the bank  
22 with any other savings bank that may be willing to accept of the trust,  
23 or for a pro rata per cent. apportionment among the depositors, of the loss  
24 suffered by debiting their accounts therewith, or for such other or further  
25 relief or correction as the particular facts communicated to him shall seem  
26 to require. And the court before which such proceedings shall be instituted  
27 shall have power to grant such orders, and in its discretion, from time to  
28 time, to modify or revoke the same, and to grant such relief as the evidence,  
29 situation of the parties, and the interests involved shall seem to require;  
30 and whenever, in such proceedings, an order shall be granted restraining  
31 such bank from paying out or disposing of any moneys or property of  
32 or held by such bank, the superintendent may, and if directed by the  
33 court, shall take temporary possession of all the assets, property and rights  
34 of, or held by such bank, and hold such possession until restored to the  
35 trustees, or until further order of the court.

§ 24. All existing savings banks or other corporations authorized under  
2 any laws of this State to receive and invest savings deposits, may avail  
3 themselves of the provisions of sections 6, 11, 12, 13, 15, 16, 17, 19, 20, 21, 22,  
4 23, 25, 26 and 27 of this act, and shall thereafter be subject to all of the  
5 provisions relating to the reception and investment of deposits, and to the  
6 limitations, restrictions, penalties, powers, duties and privileges conferred  
7 and imposed by said sections, anything in their charters notwithstanding,  
8 and shall be deemed a mutual savings bank hereunder, and be subject to  
9 taxation only to the extent that corporations primarily organized hereunder  
10 are subject; but nothing in this act shall be construed to affect the legality  
11 of investments or transactions theretofore made pursuant to any provisions of  
12 law in force when such investments were made or transactions had; nor to



13 require the change of investments for those named in this act except as the  
14 same can be done gradually by the sale or redemption of the securities so  
15 invested in, in such manner as to prevent loss or embarrassment in the  
16 business of such corporation or unnecessary loss or injury to the borrowers  
17 on such securities; and the investment thereafter in any securities not au-  
18 thorized by this act shall be deemed a misdemeanor as provided by section  
19 15 hereof. Nothing herein shall release any stockholder's liability. To  
20 avail itself of said sections of this act, as aforesaid, such corporation shall  
21 by vote of the holders of a majority of its capital stock at a lawful meeting  
22 accept and adopt the said sections. The resolution of acceptance and adoption  
23 shall be in writing and spread upon the minute book of such corporation and  
24 there attested by the hand of the president and recording officers and cor-  
25 porate seal; one certificate of such resolution, authenticated as aforesaid,  
26 duly acknowledged by them before an officer, as provided for the acknowl-  
27 edgement of deeds, shall be sent to the superintendent of the banking de-  
28 partment and another like certificate filed for record in the recorder's office  
29 in the county where the corporation is located; and thereupon the powers and  
30 conditions hereby conferred and thereby accepted shall immediately take  
31 effect. Wherever in said sections, the word "trustees" appears, it shall be  
32 construed to include and mean the governing board or officers in whom the  
33 corporate powers of the corporation adopting the same are vested; and in  
34 said section 17, where the word "deposits" or "depositors" is used, it shall  
35 be held to include the stock and stockholders in such corporation. The  
36 capital stock and its increase may be returned to the stockholders upon  
37 their request, under such regulations as the superintendent may prescribe;  
38 *Provided*, such payments shall not exceed the accumulations of the surplus  
39 under section 17, and when fully repaid such corporation shall be subject  
40 to all the provisions of this act and may change the name with the consent

41 of the superintendent and filing certificates thereof as now required by sec-  
 42 tion 2 of this act.

#### MISCELLANEOUS PROVISIONS.

§ 25. Until a banking department, and the office of superintendent  
 2 thereof shall be created by law, the State Auditor of Public Accounts shall  
 3 act as superintendent of savings banks for the purposes of this act. No  
 4 officer or trustee of any savings bank shall be eligible to the office of State  
 5 Auditor nor shall said State Auditor at any time become indebted or obli-  
 6 gated to any savings bank or engage or be interested in the sale of any  
 7 savings bank securities as a business: *Provided*, that when the duty of  
 8 superintendent as aforesaid shall no longer devolve upon the Auditor, then  
 9 the provisions of this section shall not apply to him.

§ 26. The said superintendent is hereby authorized to, from time to time,  
 2 employ so many clerks and examiners as may be necessary to discharge in  
 3 a proper manner the duties imposed upon him by this act, and their salary  
 4 shall be paid to them monthly out of the treasury of the State, from the  
 5 savings fund, upon the warrant of the Auditor. The said superintendent  
 6 shall, in his annual report to the legislature, state the names of the clerks  
 7 and examiners so employed and the compensation allowed to them severally.

§ 27. For the purpose of defraying the expenses incurred in the perform-  
 2 ance by the said superintendent of the general duties, including regular  
 3 examinations, imposed upon him by this act, each savings bank organized  
 4 under this act shall pay five dollars annually, and also a ratable proportion  
 5 of such expenses according to its assets, to be paid into the treasury of the  
 6 State for the savings fund. If any such savings bank shall, after due  
 7 notice, refuse or neglect for thirty days to pay its allotted share of such  
 8 charges, the said superintendent may maintain an action, in his name of  
 9 office, against such bank for the recovery of such charges.

§ 27. It shall be the duty of the Secretary of State for this State to sub-

2 mit this act to a vote of the people for their ratification, according to  
3 Article XI, section 5, of the constitution of this State, at the next general  
4 election, and the question shall be "For the savings bank law" or "Against  
5 the savings bank law," and if approved by a majority of the votes cast at  
6 such election for or against such law, the Governor thereupon shall issue  
7 his proclamation that this act is then in force.



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1. Introduced by Mr Fuller, February 3, 1891, and ordered to first read in
  2. First reading February 3, 1891, and referred to Committee on Banks and Banking.
  3. Reported back April 16, 1891, passage not recommended, but on motion of Mr. Fuller is ordered to a second reading and to be printed.

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## A BILL

For an act concerning mutual savings banks.

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**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly,* That any twelve or more persons, citizens of this  
3 State, two-thirds of whom shall reside in the county where the proposed  
4 savings bank is to be located, may become incorporated by associating  
5 themselves together for the purpose of organizing a mutual savings bank  
6 in accordance with the provisions of this act, who shall, under their hands  
7 and seals, execute articles of association, setting forth:

8 First The name assumed.

9 Second The location, designating the city, village or town where its  
10 principal office is to be located.

11 Third The name, residence, occupation and postoffice address of each  
12 member.

13 Fourth A declaration that each member will accept the responsibilities  
14 and faithfully discharge the duties of a trustee thereof, according to the  
15 provisions of this act.

§ 2. Such articles shall be executed in duplicate, and duly acknowledged  
2 before an officer, in the manner provided for the acknowledgment of deeds,

3 and sent to the superintendent of the banking department. A notice of  
4 intention to organize such corporation shall be published at least once a  
5 week for four successive weeks previous to filing such articles, in some news-  
6 paper of general circulation published in the city, town or village where  
7 such corporation is proposed to be located, or nearest thereto, which notice  
8 shall specify the matter set forth in the articles under the first, second and  
9 third clauses of section one of this act; and if there be any corporation  
10 doing business as a savings bank in such county, a copy of such notice  
11 shall be sent to each of them at least fifteen days before filing said articles  
12 with the superintendent. If the superintendent shall be satisfied that proper  
13 publication and service, in good faith, of the notice aforesaid, has been  
14 made, that the incorporators are responsible as to character, financial ability  
15 and general fitness for the discharge of the duties appertaining to such a  
16 trust, and that the organization proposed will be a public benefit, he shall  
17 endorse his recommendation thereon, retaining one copy to be filed in his  
18 office, and shall file one copy in the office of the Secretary of State, who  
19 shall issue, under his hand and seal of State, to the persons recommended  
20 by the superintendent, a certificate incorporating such persons under this  
21 act by the name assumed, making a part thereof a copy of all papers filed  
22 in his office in and about the organization thereof; but no certificate shall  
23 be issued to two associations bearing the same or a materially similar name;  
24 and no person shall be named therein who shall not have duly made and  
25 acknowledged the declaration prescribed by sub-division four of section one  
26 of this act, which certificate so issued shall be recorded in a book for that  
27 purpose in the office of the recorder of deeds of the county where such  
28 corporation is located. Any such corporation that shall not begin business  
29 within one year after authorization shall forfeit its rights and privileges  
30 under this act.

§ 3. Upon the filing of such certificate for record, as aforesaid, the persons

named therein and their successors shall thereupon and thereby be duly and lawfully constituted a body corporate and politic, by the name in such certificate mentioned, and by that name shall have perpetual succession, may sue and be sued, complain and defend in any court of law or equity, and shall be vested with all the powers and charged with all the liabilities conferred and imposed by this act, and may make and use a common seal, and after or renew the same at pleasure.

#### TRUSTEES.

§ 4. The persons named in the certificate issued as aforesaid shall be the first trustees of such corporation, and all vacancies in the office of trustee shall be filled by the board, by ballot, without unnecessary delay, and the vote of the majority of the remaining members of the board shall be necessary to elect a trustee.

§ 5. The business of every such corporation shall be managed and directed by a board of trustees of not less than twelve, who shall select from their number a president and two vice-presidents, and may elect from their number or otherwise such other officers and agents as they may deem expedient; and a vote of a majority of the full board shall be requisite for the appointment of any officer receiving a salary therefrom, or to fix or to increase the salary of any officer, but such majority shall be composed exclusive of any trustee receiving any salary or compensation for services as an officer of said corporation.

§ 6. No trustee shall, as such, directly or indirectly, receive any pay or emolument for his services, except as provided in section eighteen, and no trustee, officer or servant of such corporation shall, directly or indirectly, for himself or as the agent or partner of others, borrow any of the funds of the said corporation or in its custody, or in any manner use the same, except to make necessary current payments or to make investments, or to deposit for safety under the direction and by authority of the board of trustees; nor

8 shall any trustee, officer or servant of such corporation be an endorser or  
 9 surety, or in any manner be an obligor, for moneys loaned by or borrowed  
 10 of such corporation.

§ 7. The board of trustees of any such corporation shall have power from  
 2 time to time to make such by-laws, rules and regulations as they may think  
 3 proper for the election of officers, for prescribing their respective powers and  
 4 duties, and the manner of discharging the same; for the appointment and  
 5 duties of committees, and generally for transacting, managing and directing  
 6 the affairs of the corporation: *Provided*, such by-laws, rules and regulations  
 7 be not repugnant to nor inconsistent with the provisions of this act, to the  
 8 constitution and laws of this State or of the United States, a copy of which  
 9 by-laws and any amendments thereto shall be transmitted to the superintend-  
 10 ent. The trustees of any such society shall have the power, and it shall be  
 11 their duty, to require of the officers, clerks and agents of the society such  
 12 bond for their fidelity and the faithful performance of their duties, as they  
 13 shall deem necessary, or as shall be required by the superintendent of the  
 14 banking department; such bonds shall be made payable to the People of the  
 15 State of Illinois, for the use of any person interested, and shall be filed with  
 16 and approved by such superintendent.

#### MEETINGS.

§ 8. Regular meetings of the board of trustees shall be held as often as  
 2 once in each month, for the purpose of receiving the reports of their officers  
 3 and committees, and for the transaction of other business. A quorum at  
 4 any regular, special or adjourned meeting shall consist of not less than seven  
 5 trustees, of whom the president or presiding vice president shall be one, but  
 6 less than a quorum may adjourn from time to time, or until the next regular  
 7 meeting.

§ 9. Whenever a trustee of such corporation shall hereafter become a  
 2 trustee or employe in any other savings bank, or remove from the State, or



3 shall borrow, directly or indirectly, any of the funds of the savings bank  
 4 of which he is trustee, or become a surety or guarantor for any money  
 5 borrowed of, or loan made by such corporation, or upon his failure to attend  
 6 regular meetings of the board, or to perform any of the duties devolved  
 7 upon him as such trustee for six successive months, without having been  
 8 excused by the board for such failure, the office of such trustee shall there-  
 9 upon become vacant; but the trustee vacating his office for failure to attend  
 10 meetings or to discharge his duties, may, in the discretion of the board, be  
 11 eligible to reelection.

#### DEPOSITS FOR INVESTMENT.

10. It shall be lawful for any such savings corporation to receive on  
 2 deposit any sums of money for accumulation and safe keeping that may be  
 3 offered for that purpose by any person, corporation or society, and to invest,  
 4 hold and repay the same, and declare, credit and pay dividends thereon as  
 5 herein authorized and provided, and not otherwise.

#### INVESTMENTS AND LOANS.

11. All sums received and the income derived therefrom, and all  
 2 moneys intrusted to any such corporation by order of court or other lawful  
 3 authority, shall be invested only as follows:

4 First In stocks, or bonds, or interest bearing notes or obligations of the  
 5 United States, or securities for the payment of which the faith of the  
 6 United States is pledged, including the bonds of the District of Columbia.

7 Second In stocks or bonds of this State bearing interest.

8 Third In stocks or bonds of any State in the union which has not  
 9 within three years previous to making such investment by such corporation  
 10 defaulted in the payment of any part of either principal or interest  
 11 thereof.

12 Fourth In the stocks or bonds, or other obligations of any city, county,  
 13 town, village or district of this State.

14 Fifth--In the stocks or bonds of any city or county in the New England  
 15 States, or States of New York, New Jersey, Pennsylvania, Ohio, Indiana,  
 16 Michigan, Iowa, Missouri, Kansas, Nebraska, North Dakota, South Dakota,  
 17 Wisconsin, or Minnesota, and in such other States as the General Assembly  
 18 may hereafter prescribe, issued pursuant to the authority of any law of  
 19 such State: *Provided*, the entire bonded indebtedness of such city or county  
 20 shall not exceed five per cent. of the assessed value of the taxable property  
 21 therein, as shown by the last assessment preceding the investment.

22 Sixth--In the stocks of any bank, banking association or trust company  
 23 in the State, organized under any law or laws of this State, or the United  
 24 States: *Provided*, no such corporation shall hold more than five per cent. of  
 25 the stock of any such bank or trust company, nor more than ten per cent.  
 26 of its funds shall be invested in such securities.

27 Seventh--In the mortgage bonds of any railroad company of approved  
 28 credit, located in any of the States aforesaid, which has paid dividends of  
 29 not less than four per centum per annum regularly on its entire capital  
 30 stock for not less than five consecutive years next preceding such invest-  
 31 ment, and which are a first lien upon the railroad pledged to secure the  
 32 same; or in the consolidated mortgage bonds of any railroad company char-  
 33 tered by this State, authorized to be issued to retire the entire bonded debt  
 34 of such company, or in the collateral trust bonds of any railroad company  
 35 chartered in this State, where the underlying bonds pledged to secure them  
 36 are a first lien upon the property mortgaged: *Provided*, said company has  
 37 paid dividends as aforesaid: *And provided, further*, that no savings corpo-  
 38 ration shall hold more than ten per cent. of its funds in the bonds of any  
 39 one railroad company, nor more than twenty-five per cent. of its funds shall  
 40 be invested in railroad securities.

41 Eighth--In bonds or notes secured by mortgage on unincumbered real  
 42 estate located in any of the States aforesaid, worth at least twice the amount

43 loaned thereon, but not to exceed sixty per cent. of the whole amount of  
 44 its funds shall be so loaned or invested; nor shall more than thirty per  
 45 cent. of the whole amount of its funds be so invested on real estate located  
 46 outside of the State of Illinois; but in case the loan is on unimproved or  
 47 unproductive real estate, the amount loaned thereon shall not be more than  
 48 one-third of its actual value; and no investment in any bond or note and  
 49 mortgage shall be made except upon the report of a committee charged with  
 50 the duty of investigating the same, who shall certify to the value of the  
 51 premises mortgaged, or to be mortgaged, according to their best judgment,  
 52 and such report shall be filed and preserved among the records of the in-  
 53 stitution.

54 Ninth. In real estate, subject to the provisions of section thirteen of this  
 55 act; and in such other securities as the legislature shall hereafter prescribe.

§ 12. It shall be the duty of the trustees of any such corporation, as soon  
 2 as practicable, to invest such fund of money, by purchase or otherwise, in  
 3 the securities named in section eleven of this act, except that for the  
 4 purpose of meeting current payments and expenses in excess of the current  
 5 receipts, any of the securities may be sold or pledged; and there may be  
 6 kept an available fund of not exceeding twenty per cent. of the whole amount  
 7 of its assets, and the same, or any part thereof, together with the excess  
 8 of current receipts over the payments, may be kept on hand or on deposit  
 9 in any bank or banking association in the State of Illinois, organized under  
 10 any law or laws of this State or of the United States, or with any trust  
 11 company incorporated by any law of this State; but the sum so deposited  
 12 in any one bank or trust company shall not exceed twenty-five per cent.  
 13 of its paid up capital and surplus; or such available fund, or any part  
 14 thereof, may be loaned upon pledge of any of the securities named in this  
 15 act, but not exceeding ninety per cent. of the cash market value of such  
 16 securities so pledged, nor in excess of the par value thereof. And should

17 any of the securities so held in pledge depreciate in value after making  
 18 any loan thereon, it shall be the duty of the trustees to require the  
 19 immediate payment of such loan or of a part thereof or additional security  
 20 therefor, so that the amount loaned shall at no time exceed ninety per cent.  
 21 of the market value of the securities pledged therefor.

§ 13. It shall be lawful for such corporation to purchase, hold, sell and  
 2 convey real estate only as follows:

3 First—A site whereon is erected or may be erected a building or buildings  
 4 requisite for the convenient transaction of its business, and from portions  
 5 of which, not required for its own use, a revenue may be derived; the cost  
 6 not to exceed five per cent. of the whole fund of such corporation, except  
 7 by written permission of the superintendent of the banking department

8 Second—Such as shall be purchased by it at sales upon the foreclosure of  
 9 mortgages held by such corporation, or upon judgments or decrees rendered  
 10 for debts due to it, or in settlements to secure such debts, or for tax liens;  
 11 and all such real estate mentioned in this clause shall be sold by such  
 12 corporation within five years after the same shall be vested in it, unless the  
 13 superintendent shall extend the time in writing within which such sale shall  
 14 be made. And such corporation may, with the approval of the superin-  
 15 tendent, had in writing, change its location within the limits of the city or  
 16 town wherein it may be established, and in effecting such change may  
 17 purchase such additional plot, under the provisions of subdivision one of  
 18 this section, as it may require, and its former site shall be sold, as provided  
 19 in subdivision two of this section.

§ 14. In making loans upon real estate, the expenses of searches, examina-  
 2 tions and certificates of title or appraisals of value, and of drawing, perfecting  
 3 and recording papers, shall be paid by the borrower, if required by the  
 4 trustees, and whenever buildings are included in the valuation of any real  
 5 estate upon which a loan shall be made, they shall be insured by the

6 mortgagor for the benefit of the savings bank during the continuance of the  
 7 loan, and it shall be lawful for such corporation to renew such insurance  
 8 in the same or any other companies, from year to year, or otherwise, as the  
 9 trustees may elect. The necessary charges and expenses paid therefor shall  
 10 be paid by such borrower, and until so paid shall be an additional lien  
 11 upon the mortgaged premises, recoverable, with interest from the time of  
 12 payment, as part of the moneys secured to be paid by such mortgage.

#### PROHIBITIONS.

§ 15. It shall be unlawful for any such corporation to deal or trade in  
 2 real estate, except as provided in section eleven of this act, or to loan money  
 3 upon or to discount, collect, protest, or deal in notes, bills of exchange or  
 4 other personal security, but may pay its depositors on request by draft on  
 5 Chicago at current rates; or to deal in any goods, wares, merchandise or  
 6 commodities whatever, except as authorized by the terms of this act and  
 7 except such personal property as may be necessary in the transaction of its  
 8 business as by this act authorized. And the investment in any securities  
 9 not named in this act or amendments thereto shall be deemed a misde-  
 10 meanor on the part of the trustees authorizing or officers making the same,  
 11 who shall be subject to fine in any sum not more than five hundred dollars  
 12 for each offense. It shall be unlawful for any person, firm or company not  
 13 authorized by this act or heretofore authorized thereto by the laws of this  
 14 State to advertise or put forth a sign as a savings bank, or use the word  
 15 "savings" in its corporate name; any violation of this provision shall be  
 16 deemed a misdemeanor punishable by a fine of one hundred dollars for  
 17 every day such offense shall be continued, recoverable for the use of the  
 18 savings fund and paid into the State treasury.

#### WITHDRAWALS.

§ 16. The sums deposited, together with any dividends or interest credited  
 2 thereto, may be withdrawn by the depositors or their legal representatives,

3 at such time or times after demand, and after such previous notice, and  
 4 under such reasonable regulations, as the board of trustees shall from time to  
 5 time provide, on production of and proper entry in the pass-book at the time  
 6 of such payment, which regulations shall be put up in some conspicuous place  
 7 in the room where the business of such corporation shall be transacted, and  
 8 may be printed in the pass books, and which shall be evidence of the terms  
 9 upon which the deposits therein acknowledged are made. The trustees may  
 10 provide for making payments in cases of loss of pass-book or other excep-  
 11 tional cases where it cannot be produced without loss or serious inconveni-  
 12 ence to the parties, such right to cease, however, whenever so directed by  
 13 the superintendent. Money standing in the name of a minor may, at the  
 14 discretion of the trustees, be paid to such minor or his order, and the  
 15 same shall be a valid payment. The withdrawal of any sum by or pay-  
 16 ment to a depositor shall operate as his relinquishment of all claims to  
 17 any undivided profits thereon. And every such corporation shall have the  
 18 right to limit the aggregate amount which they will receive from any  
 19 one person or society to such sum as they may deem expedient, and  
 20 may, in their discretion, refuse to receive any sum offered, and may  
 21 also, at any time, return all or part of any sum received: *Provided,*  
 22 that the aggregate amount that may be received from any one individual  
 23 or corporation shall not exceed three thousand dollars, exclusive of dividends;  
 24 but this limitation shall not apply to moneys arising from judicial sales or  
 25 trust funds, or to moneys of administrators, executors, guardians, religious  
 26 or charitable institutions, or if received pursuant to the order of a court of  
 27 record.

#### DIVIDENDS AND SURPLUS.

§ 17. It shall be the duty of the trustees of every such corporation to  
 2 regulate the rate of interest or dividends, not to exceed four per cent. per  
 3 annum upon the deposits therewith, in such manner that the depositors

4 shall receive as nearly as may be, all the profits of such corporation, after  
5 deducting the necessary expenses, and reserving such amount as the trustees  
6 may deem expedient as a surplus, which, to the amount of fifteen per cent.  
7 of the entire deposits, the trustees may gradually accumulate and hold to  
8 meet any contingency or loss from depreciation of its securities or otherwise;  
9 *Provided, however,* that the trustees of any such corporation may classify  
10 their depositors according to the character, amount and duration of their  
11 dealings with the corporation, and regulate the interest or dividends allowed  
12 in such manner that each depositor shall receive the same ratable propor-  
13 tion of interest or dividends as all others of his class, and upon deposits  
14 made not later than the fifteenth day of January, April, July or October  
15 interest dividends may be allowed from the first day of such  
16 month. No dividends shall be declared until the trustees of such  
17 corporation cause an examination to be made, and find the amount  
18 thereof has actually accrued, and no dividend or interest shall be  
19 paid or credited except semi-annually, nor unless authorized by a  
20 vote, duly entered on the minutes, by ayes and nays, after such ex-  
21 amination. And whenever the surplus amounts to fifteen per cent.  
22 of the entire deposits, as aforesaid, the trustees shall, at least once in three  
23 years thereafter, divide equitably the accumulation beyond such authorized  
24 surplus as an extra dividend, in excess of the regular dividends hereinbefore  
25 authorized. Notices posted conspicuously in the room where the business  
26 of such corporation is transacted shall be equivalent to personal notice to  
27 each person or other party interested. In determining the per cent. of  
28 surplus so held the interest-bearing stocks and bonds shall not be estimated  
29 above their par value, or above the market value, if below par; its bonds or  
30 notes and mortgages not in arrear of interest for a longer period than two  
31 years at their face; its real estate and tax liens at not above cost; and all  
32 other investments at such valuation as the superintendent shall from time

33 to time determine. The trustees shall make and publish a full and accurate  
 34 quarterly statement of its affairs, which shall be certified to under oath by  
 35 one or more of its officers.

#### COMPENSATION OF TRUSTEES.

§ 18. It shall be lawful for trustees acting as officers or committees of  
 2 such corporation, whose duties require and receive their regular and faithful  
 3 attendance at or for the bank, to receive such compensation as in the  
 4 opinion of a majority of the board of trustees shall be just and reasonable;  
 5 but such majority shall be exclusive of any trustee to whom such compen-  
 6 sation shall be voted. But it shall not be lawful to pay trustees, as such,  
 7 for their attendance at meetings of the board more than five dollars each  
 8 for any regular monthly meeting at which they are personally present.

#### REPORTS.

§ 19. Every savings bank shall, on or before the first day of November,  
 2 in each year, make a report in writing to the superintendent of the banking  
 3 department, and in such form as he shall prescribe, of its condition on the  
 4 morning of the first day of July preceding. Such report shall state the  
 5 amount loaned upon bond or note and mortgage, the par value and esti-  
 6 mated market value of all stock or bond investments, designating each par-  
 7 ticular kind and amount invested in each; the amount loaned upon pledge  
 8 of securities, with a statement of the securities held as collateral for such  
 9 loans; the amount invested in real estate, giving cost of the same; the  
 10 amount of cash on hand and on deposit in banks or trust companies, with  
 11 their names and the amount deposited in each; the amount of all other  
 12 assets, including accrued interest not enumerated above, and such other  
 13 information as the superintendent may require. Such report shall also  
 14 state all the liabilities on the morning of the said first day of July; the  
 15 amount due to depositors, which shall include any dividend to be credited  
 16 to them for the six months ending on that day, and any other claims



17 against such bank which are or may be a charge upon its assets. Such  
18 report shall also state the amount deposited during the fiscal year ending  
19 that day, and the amount withdrawn during the same period; the whole  
20 amount of interest or profit received or earned, and the amount of dividends  
21 credited to depositors, together with the amount of each semi-annual credit  
22 of interest; the number of accounts opened or reopened, the number closed  
23 during such year, and the number of open accounts at the end of such  
24 year; and also a statement like that provided for in paragraph third in  
25 section one of this act, and such other information as the superintendent  
26 may require.

#### EXAMINATION.

27 20. The report shall be verified by oath of the two principal officers of  
2 the bank, and the statement of assets shall be verified by the oath of  
3 a majority of the trustees who examine the same, pursuant to the require-  
4 ments of this section; and any willful false swearing in regard to such  
5 report, or any report made to the superintendent pursuant to the provisions  
6 of this act, shall be deemed perjury, and be subject to the prosecutions and  
7 punishments prescribed by law for that offense. It shall be the duty of the  
8 trustees, by a committee of not less than three of such trustees, on or about  
9 the first day of July, in each year, to thoroughly examine the books, vouch-  
10 ers and assets of such bank and its affairs generally, and the statement  
11 of assets and liabilities reported to the superintendent for the first day  
12 of July in such year shall be based upon such examination; but nothing  
13 herein contained shall be construed as prohibiting the trustees from requir-  
14 ing such examinations at such other times as they shall prescribe. Any sav-  
15 ings bank failing to furnish to the superintendent any report or state-  
16 ment required by this act to be made to him, at the time so required, shall  
17 forfeit the sum of one hundred dollars per day for every day such report or  
18 statement shall be so withheld; and the said superintendent may maintain

19 an action, in his name of office to recover such penalty, and when collected  
 20 the same shall be paid into the treasury of the State and be applied to the  
 21 expenses of the banking department; but the superintendent may for suffi-  
 22 cient cause extend the time for making such report, not exceeding thirty  
 23 days.

§ 21. It shall be the duty of the superintendent of the banking department  
 2 on or before the first day of February in each assembly year to communicate  
 3 to the Legislature a statement of the condition of every such bank from  
 4 which a report has been received for the two preceding years; also the  
 5 name and location of savings banks authorized by him during the two  
 6 previous years, with the date of their incorporation.

#### SUPERVISION.

§ 22. It shall be the duty of the said superintendent, once in two years,  
 2 either personally or by one or more competent persons to be appointed by  
 3 him, to visit and examine every savings bank in this State. The superin-  
 4 tendent shall also have the power in like manner to examine any such  
 5 bank whenever in his judgment it may be deemed necessary or expedient.  
 6 The said superintendent, and every such examiner, shall have power  
 7 to administer an oath to any person whose testimony may be required on  
 8 any such examination, and to compel the appearance and attendance of any  
 9 such person for the purpose of such examination by summons, subpoena, or  
 10 attachment, in the manner now authorized in respect to the attendance of  
 11 persons as witnesses in the courts of record of this State; and all books  
 12 and papers which it may be deemed necessary to examine by the superin-  
 13 tendent, or examiner so appointed, shall be produced, and their production  
 14 may be compelled in like manner; such savings bank shall not be required  
 15 to make any other statement or report nor be subject to any other visitorial  
 16 power than such as may be authorized by this act, except such as are vested

17 in the several courts of law and chancery. The expense of every such  
18 special examination, if any, shall be paid by the bank examined in such  
19 amount as the superintendent shall certify to be just and reasonable; but  
20 whenever such special examination shall be made by the superintendent in  
21 person, or by one or more of the regular clerks in his department, no charge  
22 shall be made, except for necessary traveling and other actual expenses.  
23 The result of any such examination shall be certified by the examiner, or  
24 one of them, upon the records of the bank examined, and the results of all  
25 the regular examinations during the previous two years shall be embodied  
26 in the biennial reports of the superintendent required by this act to be  
27 submitted to the Legislature.

23. Whenever it shall appear to the said superintendent from any such  
2 examination or report that any such bank has committed any violation  
3 of law, or is conducting its business in an unsafe or unauthorized manner,  
4 he shall, by an order under his hand and seal, direct the discontinuance of  
5 such illegal and unsafe or unauthorized practices, and strict conformity  
6 with the requirements of the law, and with safety and security in its  
7 transactions; and whenever any such bank shall refuse or neglect to  
8 make any such report as hereinbefore required, or to comply with any such  
9 order as aforesaid, or whenever it shall appear to the superintendent that  
10 it is unsafe or inexpedient for any such bank to continue to transact  
11 business, or that extraordinary withdrawals of money are jeopardizing the  
12 interests of remaining depositors, or that any trustee or officer has abused  
13 his trust, or been guilty of misconduct or malversation in his official  
14 position injurious to the bank, or that it has suffered a serious loss by  
15 fire, burglary, repudiation or otherwise, he shall communicate the facts to  
16 Attorney General, who shall thereupon institute such proceedings as  
17 the nature of case may require. Such proceeding may be for an order  
18 restraining such bank from paying out more than ten per cent. of

19 its funds in any six months, or until the further order of the court, or for  
 20 the removal of one or more of the trustees, or for the transfer of the corporate  
 21 powers to other persons, or to the consolidation and merger of the bank  
 22 with any other savings bank that may be willing to accept of the trust,  
 23 or for a pro rata per cent. apportionment among the depositors, of the loss  
 24 suffered by debiting their accounts therewith, or for such other or further  
 25 relief or correction as the particular facts communicated to him shall seem  
 26 to require. And the court before which such proceedings shall be instituted  
 27 shall have power to grant such orders, and in its discretion, from time to  
 28 time, to modify or revoke the same, and to grant such relief as the evidence,  
 29 situation of the parties, and the interests involved shall seem to require;  
 30 and whenever, in such proceedings, an order shall be granted restraining  
 31 such bank from paying out or disposing of any moneys or property of  
 32 or held by such bank, the superintendent may, and if directed by the  
 33 court, shall take temporary possession of all the assets, property and rights  
 34 of, or held by such bank, and hold such possession until restored to the  
 35 trustees, or until further order of the court.

§ 24. All existing savings banks or other corporations authorized under  
 2 any laws of this State to receive and invest savings deposits, may avail  
 3 themselves of the provisions of sections 6, 11, 12, 13, 15, 16, 17, 19, 20, 21, 22,  
 4 23, 25, 26 and 27 of this act, and shall thereafter be subject to all of the  
 5 provisions relating to the reception and investment of deposits, and to the  
 6 limitations, restrictions, penalties, powers, duties and privileges conferred  
 7 and imposed by said sections, anything in their charters notwithstanding,  
 8 and shall be deemed a mutual savings bank hereunder, and be subject to  
 9 taxation only to the extent that corporations primarily organized hereunder  
 10 are subject; but nothing in this act shall be construed to affect the legality  
 11 of investments or transactions theretofore made pursuant to any provisions of  
 12 law in force when such investments were made or transactions had; nor to

13 require the change of investments for those named in this act except as the  
14 same can be done gradually by the sale or redemption of the securities so  
15 invested in, in such manner as to prevent loss or embarrassment in the  
16 business of such corporation or unnecessary loss or injury to the borrowers  
17 on such securities; and the investment thereafter in any securities not au-  
18 thorized by this act shall be deemed a misdemeanor as provided by section  
19 15 hereof. Nothing herein shall release any stockholder's liability. To  
20 avail itself of said sections of this act, as aforesaid, such corporation shall  
21 by vote of the holders of a majority of its capital stock at a lawful meeting  
22 accept and adopt the said sections. The resolution of acceptance and adoption  
23 shall be in writing and spread upon the minute book of such corporation and  
24 there attested by the hand of the president and recording officers and cor-  
25 porate seal; one certificate of such resolution, authenticated as aforesaid,  
26 duly acknowledged by them before an officer, as provided for the acknowl-  
27 edgement of deeds, shall be sent to the superintendent of the banking de-  
28 partment and another like certificate filed for record in the recorder's office  
29 in the county where the corporation is located; and thereupon the powers and  
30 conditions hereby conferred and thereby accepted shall immediately take  
31 effect. Wherever in said sections, the word "trustees" appears, it shall be  
32 construed to include and mean the governing board or officers in whom the  
33 corporate powers of the corporation adopting the same are vested; and in  
34 said section 17, where the word "deposits" or "depositors" is used, it shall  
35 be held to include the stock and stockholders in such corporation. The  
36 capital stock and its increase may be returned to the stockholders upon  
37 their request, under such regulations as the superintendent may prescribe:  
38 *Provided*, such payments shall not exceed the accumulations of the surplus  
39 under section 17, and when fully repaid such corporation shall be subject  
40 to all the provisions of this act and may change the name with the consent

41 of the superintendent and filing certificates thereof as now required by sec-  
 42 tion 2 of this act.

#### MISCELLANEOUS PROVISIONS.

§ 25. Until a banking department, and the office of superintendent  
 2 thereof shall be created by law, the State Auditor of Public Accounts shall  
 3 act as superintendent of savings banks for the purposes of this act. No  
 4 officer or trustee of any savings bank shall be eligible to the office of State  
 5 Auditor nor shall said State Auditor at any time become indebted or obli-  
 6 gated to any savings bank or engage or be interested in the sale of any  
 7 savings bank securities as a business: *Provided*, that when the duty of  
 8 superintendent as aforesaid shall no longer devolve upon the Auditor, then  
 9 the provisions of this section shall not apply to him.

§ 26. The said superintendent is hereby authorized to, from time to time,  
 2 employ so many clerks and examiners as may be necessary to discharge in  
 3 a proper manner the duties imposed upon him by this act, and their salary  
 4 shall be paid to them monthly out of the treasury of the State, from the  
 5 savings fund, upon the warrant of the Auditor. The said superintendent  
 6 shall, in his annual report to the legislature, state the names of the clerks  
 7 and examiners so employed and the compensation allowed to them severally.

§ 27. For the purpose of defraying the expenses incurred in the perform-  
 2 ance by the said superintendent of the general duties, including regular  
 3 examinations, imposed upon him by this act, each savings bank organized  
 4 under this act shall pay five dollars annually, and also a ratable proportion  
 5 of such expenses according to its assets, to be paid into the treasury of the  
 6 State for the savings fund. If any such savings bank shall, after due  
 7 notice, refuse or neglect for thirty days to pay its allotted share of such  
 8 charges, the said superintendent may maintain an action, in his name of  
 9 office, against such bank for the recovery of such charges.

§ 27. It shall be the duty of the Secretary of State for this State to sub-

2 mit this act to a vote of the people for their ratification, according to  
3 Article XI, section 5, of the constitution of this State, at the next general  
4 election, and the question shall be "For the savings bank law" or "Against  
5 the savings bank law," and if approved by a majority of the votes cast at  
6 such election for or against such law, the Governor thereupon shall issue  
7 his proclamation that this act is then in force.

3. Explain the following:

(a) Explain the following:

(b) Explain the following:



- 1 Introduced by Mr. Evans February 3, 1891, and ordered to first read-  
ing.
- 2 First reading February 3, 1891, and referred to Committee on Judicial  
Department and Apportionment.
- 3 Reported back March 6, 1891, passage recommended and ordered to  
second reading.

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## A BILL

For an act to amend section four (4) of an act entitled "An act concerning  
jurors, and to repeal certain acts therein named," approved and in force  
February 11, 1874, as amended by act approved May 31, 1879, in force  
July 1, 1879

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That section four (4) of an act entitled "An act  
3 concerning jurors, and to repeal certain acts therein named," approved and  
4 in force February 11, 1874, as amended by act approved May 31, 1879, in  
5 force July 1, 1879, be and the same is hereby amended so as to read as  
6 follows:

Section 4. The following persons shall be exempt from serving as jurors,  
2 to-wit: The Governor, Lieutenant-Governor, Secretary of State, Auditor  
3 of Public Accounts, Treasurer, Superintendent of Public Instruction,  
4 Attorney General, members of the General Assembly during their term of  
5 office, all judges of courts, all clerks of courts, sheriffs, coroners, post-  
6 masters, mail carriers, practicing attorneys, all officers of the United States,  
7 officiating ministers of the gospel, school teachers during their terms of  
8 school, practicing physicians, constant ferrymen, mayors of cities, soldiers  
9 and sailors in the service of the United States or persons who have been

10 honorably discharged from such service, policemen and active members of  
11 the fire department: *Provided*, that every fireman who shall have faithfully  
12 fully and actively served as such in any volunteer fire department in any  
13 city of this State for the term of seven (7) years, may thereafter be exempt  
14 from serving on juries in all courts.

1. Introduced by Mr. Mathews, February 3, 1891, and ordered to first reading.
  2. First reading February 3, 1891, and referred to Committee on Appropriations.
  3. Reported back with amendments, May 1, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act making appropriation for the ordinary expenses of the State Laboratory of Natural History, for the improvement of the library thereof, and for the expenses of the State Entomologists.

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**SUMMARY 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there is hereby appropriated to the State Lab-  
3 oratory of Natural History, for the field work and the office and incidental  
4 expenses the sum of fifteen hundred dollars (\$1,500) per annum.

5 For the improvement of the Library, the sum of one thousand dollars  
6 (\$1,000) per annum.

7 For salaries and assistance, the sum of three thousand five hundred  
8 dollars (\$3,500) per annum.

9 For the publication of bulletins, the sum of five hundred dollars (\$500)  
10 per annum.

11 For the illustration of the biennial report of the State Entomologist, the  
12 sum of two hundred and fifty dollars (\$250) per annum.

§ 2, The Auditor of Public Accounts is hereby authorized and directed  
2 to draw his warrant on the Treasurer for the sums hereby appropriated,  
3 upon the order of the board of trustees of the University of Illinois,

4 attested by its secretary, and with the corporate seal of the University;  
5 *Provided*, that no part of said sums shall be due and payable to said in-  
6 stitution until satisfactory vouchers in detail, approved by the Governor,  
7 shall be filed with the Auditor for all previous expenditures incurred by  
8 the institution on account of appropriations heretofore made.

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PROPOSED AMENDMENTS TO SENATE BILL NO. 114. BY THE COM-  
MITTEE ON APPROPRIATIONS.

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Amend by adding the following at the end of section 1: "For  
printing and binding additional copies of volume one of the Natural  
History Survey of Illinois, the sum of six hundred dollars (\$600)."

1. Introduced by Mr. Chicago on February 4, 1891, and ordered to first reading.
2. First reading February 4, 1891, and referred to Committee on Building and Loan Associations.
3. Reported back March 4, 1891, and ordered to be printed for use of committee.

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## A BILL

For an act to revise sections eight (8) and eleven (11) of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1889.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That sections eight (8) and eleven (11) of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, and amended by an act entitled "An act to amend sections eight (8) and ten (10) of an act entitled 'An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such associations,'" approved June 17, 1887, in force July 1, 1887, and an act entitled, "An act to amend section 11 of an act entitled, 'An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such associations,'" approved June 16, 1887, in force July 1, 1887, be and the same are hereby revised so as to read as follows:

Section 8. The board of directors shall hold such stated meetings, not less

2 frequently than once a month, as may be provided by the by-laws, at which  
 3 the money in the treasury, if one hundred dollars, or more, shall be offered  
 4 for loan in open meeting; and the stockholders who shall bid the highest  
 5 premium, for the preference or priority of loan, shall be entitled to receive  
 6 a loan of one hundred dollars for each share of stock held by said stock-  
 7 holders; the said premium bid may be deducted from the loan in one  
 8 amount, or may be paid in such proportionate amounts or installments, and  
 9 at such times during the existence of the shares of stock borrowed upon,  
 10 as may be designated by the by-laws of the respective associations: *Provided,*  
 11 that any such association may by its by-laws dispense with the offering of  
 12 its money for bids in open meeting, and in lieu thereof loan its money at a  
 13 rate of interest and premium fixed by its by-laws, and either with or with-  
 14 out premium, deciding the preference or priority of loans by the priority of  
 15 the applications for loans of its stockholders: *And provided,* that no loan  
 16 shall be made by said corporation except to its own members, nor in any  
 17 sum in excess of the amount of stock held by such members borrowing;  
 18 but such stockholders may borrow such fractional part of one hundred  
 19 dollars as the by-laws may provide. Good and ample real estate security,  
 20 unincumbered, except by prior loans of such association, shall be given by  
 21 the borrower to secure the payment of the loan: *Provided, however,* that the  
 22 stock of such association may be received as security, to the amount of the  
 23 withdrawal value of such stock. Any mutual building, loan and home-  
 24 stead association, which may have heretofore been incorporated under the  
 25 laws of the State of Illinois, may avail itself of all the powers conferred by  
 26 this act.

Section 11. Corporations organized under this act being of the nature of co-  
 2 operative associations, therefore no interest, premiums, fines, nor interest on  
 3 such premiums that may accrue to said corporation, according to the provis-  
 4 ions of this act, shall be deemed usurious and the same may be collected as other  
 5 debts of like amount may be collected by laws in this State; and, all money

6 paid to such corporation being at once loaned out and placed into taxable  
7 property, and the shares of stock and notes provided for in this act being  
8 simply evidence as to where such money has been placed, therefore such  
9 stock and notes shall not be subject to taxation.





1. Introduced by Mr. Chapman February 4, 1891, and ordered to first reading.
2. First reading February 4, 1891, and referred to Committee on Building and Loan Associations.
3. Reported back March 4, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to revise sections eight (8) and eleven (11) of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections eight (8) and eleven (11) of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, and amended by an act entitled "An act to amend sections eight (8) and ten (10) of an act entitled 'An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such associations,' approved June 17, 1887, in force July 1, 1887, and an act entitled "An act to amend section 11 of an act entitled 'An act to enable associations of persons to become a body corporate, to raise funds to be loaned only among the members of such associations,' approved June 16, 1887, in force July 1, 1887, be and the same are hereby revised so as to read as follows:

Section 8. The board of directors shall hold such stated meetings, not less frequently than once a month, as may be provided by the by-laws, at which the money in the treasury, if one hundred dollars or more, shall be offered for loan in open meeting; and the stockholders who shall bid the highest premium for the preference or priority of loan shall be entitled to receive a loan of one hundred dollars for each share of stock held by said stockholders; the said premium bid may be deducted from the loan in one amount, or may be paid in such proportionate amounts or installments, and at such times during the existence of the shares of stock borrowed upon, as may be designated by the by laws of the respective associations: *Provided*, that any such association may, by its by-laws, dispense with the offering of its money for bids in open meeting, and in lieu thereof loan its money at a rate of interest and premium fixed by its by-laws, and either with or without premium, deciding the preference or priority of loans by the priority of the applications for loans of its stockholders: *And provided*, that no loan shall be made by said corporation except to its own members, nor in any sum in excess of the amount of stock held by such members borrowing; but such stockholders may borrow such fractional part of one hundred dollars as the by-laws may provide. Good and ample real estate security, unencumbered, except by prior loans of such association, shall be given by the borrower to secure the payment of the loan: *Provided, however*, that the stock of such association may be received as security, to the amount of the withdrawal value of such stock. Any mutual building, loan and homestead association which may have heretofore been incorporated under the laws of the State of Illinois may avail itself of all the powers conferred by this act.

Section 11. Corporations organized under this act being of the nature of co-operative associations, therefore no interest, premiums, fines nor interest on such premiums that may accrue to said corporation, according to the pro-

visions of this act, shall be deemed usurious, and the same may be collected as other debts of like amounts may be collected by laws in this State; and all money paid to such corporation being at once loaned out and placed into taxable property, and the shares of stock and notes provided for in this act being simply evidence as to where such money has been placed, therefore such stock and notes shall not be subject to taxation.



1. Introduced by Mr. Farmer February 4, 1891, and ordered to first reading.
2. First reading February 4, 1891, and referred to Committee on Judiciary.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section four (4) of an act entitled "An act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of Illinois," approved May 30, 1881, in force July 1, 1881.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section four (4) of an act entitled "An act to  
3 insure the better education of practitioners of dental surgery, and to regulate  
4 the practice of dentistry in the State of Illinois," approved May 30, 1881, in  
5 force July 1, 1891, be and the same is hereby amended so as to read as follows:

Section 4. It shall be the duty of every person who had engaged in the  
2 practice of dentistry in this State for a period of five years prior to the  
3 first day of July, eighteen hundred and eighty-one, within six months from  
4 the date of the passage of this act, to cause his or her name and residence  
5 or place of business to be registered with said board of examiners, who  
6 shall keep a book for that purpose; and every person who shall so register  
7 with said board as a practitioner of dentistry may continue to practice the  
8 same as such without incurring any of the liabilities or penalties provided  
9 in this act.



1. Introduced by Mr. Humphrey, February 4, 1891, and ordered to first reading.
2. First reading February 4, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, and ordered printed for use of committee.

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## A BILL

For an act to amend sections one, two, three and four of an act entitled "An act concerning the education of children," approved May 24, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), two (2), three (3) and four (4) of "An act concerning the education of children," approved May 24, 1889, be and the same are hereby amended so as to read as follows:

Section 1. That every person having under his control a child between the ages of seven and fourteen years, shall annually cause such child to attend for at least sixteen weeks, at least eight weeks of which attendance shall be consecutive, some public day school or private day school, or cause such child to be taught in the elementary branches that are taught in the public school, of which reading and writing shall be taught in the English language, suitable to the age of such child, which time shall commence with the beginning of the first term of the school year, or as soon thereafter as due notice shall be served upon the person having such control, of his duty under this act. For every neglect of such duty, the person offending shall forfeit to the use of the public schools of such city or district, a sum not less than one nor more than twenty dollars (\$20). But if the person so neglecting shall furnish a certificate signed by a teacher of a public

14 or private day school, or from a private tutor, stated that such child has  
15 attended for a like period of time some public or private day school, or  
16 that instruction has otherwise been given for a like period of time to such  
17 child commonly taught in the public school, or that such child has already  
18 acquired the branches of learning taught in the public school, which cer-  
19 tificate shall be prima facie evidence of such facts therein contained, or  
20 that his physical or mental condition, as declared by a competent physician,  
21 is such as to render such attendance inexpedient and impracticable then  
22 such penalty shall not be incurred. Such fine shall be paid, when col-  
23 lected, to the school treasurer of such city or township, to be accounted  
24 for by him as other school money raised for such purposes.

Section 2. It shall be the duty of the board of education in every city  
2 and the board of school directors in every school district to appoint one or  
3 more truant officers, whose duty it shall be carefully to inquire concerning  
4 all supposed violations of this act and to enter complaint against all per-  
5 sons whom he shall deem guilty of such violation. It shall also be the  
6 duty of said officer to arrest children of a school going age who habitually  
7 haunt public places and have no lawful occupation, and also truant chil-  
8 dren who absent themselves from school without leave, (and having no  
9 parent or guardian) and to place them in charge of the teacher having  
10 charge of the public school which the said children are by law entitled to  
11 attend, and it shall be the duty of said teacher to assign said children to  
12 the proper classes and to instruct them in such studies as they are fitted to  
13 pursue; and those having parent or guardian, said truant officer shall place  
14 them in said care of parent or guardian and state to said parent or  
15 guardian the cause why said child was arrested. Said truant officer shall  
16 have such compensation for services rendered under this act as shall be  
17 determined by the board of education or the board of directors appointing  
18 such officer, which compensation shall be paid from the distributable fund.

Section 3. Any person having control of a child who, with intent to



2 evade the provisions of this act, shall make a willful false statement con-  
3 cerning the age of such child, or the time such child has attended school,  
4 or procure and present a certificate the statements of which are false, shall  
5 for such offense forfeit a sum of not less than three dollars (\$3) nor more  
6 than twenty dollars (\$20) for the use of the public schools of such city or  
7 district.

Section 4. Prosecutions under this act shall be instituted and carried on  
2 by the truant officer and be brought in the name of the People of the  
3 State of Illinois for the use of the school fund of said city or township.



1. Introduced by Mr. Hagle February 4, 1891, and ordered to first reading.
2. First reading February 4, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 6, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section twenty-two (22) of an act entitled "An act in regard to attachments in courts of record," approved December 23, 1871, in force July 1, 1872.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly, That* section twenty-two (22) of an act entitled "An act in regard to attachments in courts of record," approved December 23, 1871, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

Section 22. When it shall appear by the affidavit, or the return of the officer, that a defendant in any attachment suit is not a resident of this State, or the defendant has departed from this State, or on due inquiry cannot be found, or is concealed within this State, so that process cannot be served upon him, it shall be the duty of the clerk of the court in which the suit is pending to give notice by publication at least once in each week for three weeks successively in some newspaper published in this State, most convenient to the place where the court is held, of such attachment, and at whose suit, against whose estate, for what sum and before what court the same is pending, and that unless the defendant shall appear, give bail, and plead within the time limited for his appearance in

12 such case, judgment will be entered, and the estate so attached will be  
13 sold, and such clerk shall, within ten days after the first publication of  
14 such notice, send a copy thereof by mail addressed to such defendant if  
15 the place of residence is stated in such affidavit, and the certificate of the  
16 clerk that he has sent such notice in pursuance of this section shall be  
17 evidence of that fact: *Provided*, any newspaper published in the county  
18 where the court is held, shall be considered equally convenient, and the  
19 plaintiff or complainant or his attorney shall have the right to direct in  
20 what newspaper the notice shall be published, and if such clerk shall make  
21 publication contrary to such directions he shall not be allowed to collect  
22 the costs thereof. This section shall not apply to any case where the court  
23 directs in what newspaper publication shall be made.

1. Introduced by Mr. Hunt, February 5, 1891, and ordered to first reading.
2. First reading February 5, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back March 12, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to prevent deception in the sale of dairy products, and to preserve the public health.

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### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That no person, either by himself, his agents or  
3 servants, shall render or manufacture out of any animal fat, or animal or  
4 vegetable oils not produced from unadulterated milk or cream, any article  
5 in imitation or semblance of natural butter or cheese produced from pure,  
6 unadulterated milk or cream, nor mix, compound with or add to milk,  
7 cream or butter any acids or other deleterious substances, or animal fat,  
8 or animal or vegetable oils not produced from milk or cream, so as to pro-  
9 duce any article or substance, or any human food in imitation or semblance  
10 of natural butter or cheese, unless the same shall be distinctly colored pink,  
11 so that it can be readily distinguished from pure butter or cheese.

12 § 2. No person, either by himself, his agents or servants, shall sell, ex-  
2 pose for sale, or have in his possession with intent to sell, any article or  
3 compound made in imitation of butter or cheese, and not wholly made from  
4 milk or cream, unless the same shall be distinctly colored pink, so that it  
5 may readily be distinguished from pure butter or cheese.

§ 3. Any proprietor or keeper of a hotel, restaurant, boarding house, eating saloon or other place where food is furnished to persons paying for the same, where there is placed upon the table for the use of guests or patrons, any articles, substance or compound made in imitation of butter or cheese, and not wholly made from milk or cream, and that is of any other color than pink, shall be deemed as selling and as offering for sale as butter or cheese such article, substance or compound within the meaning of, and contrary to, the provisions of this act.

§ 4. For the purposes of this act the terms "butter" and "cheese" shall be held and understood to mean the products usually known by those names, respectively, and which are made exclusively from milk or cream, or both, and with or without salt or coloring matter or other necessary ingredients.

§ 5. Any person violating any provision of this act shall be fined for each offense not less than twenty-five dollars nor more than two hundred dollars, to be recovered by indictment in any court having jurisdiction; or the fine alone may be sued for and recovered before any justice of the peace in the county where the offense shall be committed, at the instance of any person, in the name of the People of the State of Illinois, or plaintiff.

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1. Introduced by Mr. Karraker, February 5, 1891, and ordered to first reading.
  2. First reading February 5, 1891, and referred to Committee on Elections.
  3. Reported back May 21, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to amend section 7, of an act entitled "An act for the registry of electors and to prevent fraudulent voting," approved and in force February 15, 1865, as amended by act approved March 27, 1874, in force July 1, 1874, and as amended by act approved May 31, 1879, in force July 1, 1879.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section seven of an act entitled "An act for the registry of electors and to prevent fraudulent voting," approved and in force February 15, 1865, as amended by act approved March 27, 1874, in force July 1, 1874, and as amended by act approved May 31, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

Section 7. After said lists shall have been fully completed, the said board shall within three days thereafter cause two copies of the same to be made, each of which shall be certified by them to be a correct list of the voters of their district; one of which shall be filed in the office of the town clerk of towns, and in the office of city clerks of cities; and one of which copies shall be delivered to said judges or inspectors. It shall be the duty of the said judges or inspectors so receiving such list, carefully to preserve the said list for their use on election day, and to designate two of their num-

ber at the opening of the polls, to check the name of every voter voting in such district whose name is on the register. No vote shall be received at any State election in this State if the name of the person offering to vote be not on the said register made on the Tuesday preceding the election. Any person whose name is on such register may be challenged, and in case of challenge the person offering to vote shall furnish to the judges of the election his affidavit in writing, stating therein that he is an inhabitant of said district and entitled to vote therein at such election and prove by the oath of a householder and registered voter of the district in which he offers to vote that he knows such person to be an inhabitant of the district, and if in any city giving the residence of such person within said district. The oath may be administered by one of the judges or inspectors of the election, at the poll where the vote shall be offered, or by any other person authorized to administer oaths, but no person shall be authorized to receive compensation for administering the oath. Said oath shall be preserved and filed in the office of the town or city clerk, or in case there be no clerk, then said oath shall be filed with and preserved by the judges or inspectors of the proper district.



1. Introduced by Mr. Sheridan February 5, 1891, and ordered to first reading.
2. First reading February 5, 1891, and referred to Committee on Judiciary.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section one (1) of "An act to revise the law in relation to costs," approved February 11, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of said act be and the same is hereby amended so as to read as follows:

Section 1. That in all actions in any court on official bonds for the use of any person, actions on the bonds of executors, administrators or guardians, qui tam actions, actions on a penal statute, and in all cases in law or equity, where the plaintiff or person for whose use the action is to be commenced, shall, before he institutes such suit, file or cause to be filed with the clerk of the court in which the action is to be commenced, security for costs, substantially in the following form:

A. B. vs. C. D. (title of court).

I, (E. F.,) do enter myself security for all costs which may accrue in the above cause.

Dated this ..... day of ....., A. D. 18.., (Signed) E. F.



1. Introduced by Mr. Noonan, February 5, 1891, and ordered to first reading.
2. First reading February 5, 1891, and referred to Committee on Building and Loan Associations.
3. Reported back March 4, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to amend an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," by adding thereto the following sections to be numbered sections 15, 16, 17 and 18.

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**SECTION 1** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," be amended by adding thereto the following sections to be numbered sections 15, 16, 17 and 18:

Section 15. The secretary of every building, loan and homestead association incorporated or doing business within this State shall, within twenty days after the close of each quarter of the fiscal year of such association file with the Auditor of Public Accounts of the State of Illinois, (together with a fee of one dollar), a printed statement under oath of the receipts and expenditures of such association for such quarter, its assets and liabilities, the number of shares of its capital stock issued, withdrawn and in force in each series of stock during such quarter; also the number of shares loaned upon in each series of stock. Such statement shall also be

10 verified under oath by at least three members of such association not  
11 officers thereof.

Section 16. It shall be the duty of the Auditor of Public Accounts,  
2 whenever five or more stockholders of any such association request in a  
3 statement of facts made and sworn to by the same, or whenever he shall  
4 deem it expedient so to do, in person or by one or more persons, to be  
5 appointed by him for that purpose, not officers or agents of or in any  
6 manner interested in such association doing business in this State, except  
7 as stockholders, to examine into the affairs of any such association incor-  
8 porated in this State or doing business by its agents in this State; and it  
9 shall be the duty of the officers or agents of any such association doing  
10 business in this State to cause their books to be opened for the inspection  
11 of the Auditor or person or persons so appointed, and otherwise facilitate  
12 such examination so far as it may be in their power to do; and for that  
13 purpose the Auditor or person or persons so appointed by him shall have  
14 the power to examine, under oath, the officers and agents of any such  
15 association relative to the business of such association, and whenever the  
16 Auditor of Public Accounts shall deem it for the best interests of the  
17 public so to do he shall publish the result of any such investigation in one  
18 or more newspapers of general circulation published in the county in which  
19 the principal office of such association is located; and annually on or  
20 before the first day of December in each year, the Auditor of Public  
21 Accounts shall report in writing to the Governor of the financial condition  
22 of all such associations doing business in this State. The Auditor shall  
23 receive for such examination by him in person or by deputy, not exceeding  
24 the sum of ten dollars per diem.

Section 17. And whenever it shall appear to the said Auditor from such  
2 examination, that the assets of any such association incorporated or doing  
3 business in this State are insufficient to justify the continuance in business

4 of any such association he shall communicate the fact to the directors of  
 5 such association. Said directors shall be allowed twenty days within which  
 6 said directors may negotiate such depreciated assets, reduce the amount of  
 7 the loan or increase the collateral thereto. In case such depreciated assets  
 8 are not negotiated or made sufficient within the time herein provided, then  
 9 such Auditor shall report the same to the Attorney General, whose duty  
 10 it shall then become to apply to the circuit court of the county in which  
 11 the principal office of said association shall be located for an order requir-  
 12 ing it to show cause why the business of such association shall not be  
 13 closed, and the court shall thereupon proceed to hear the allegations and  
 14 proofs of the respective parties, either in open court or upon a reference to  
 15 a master in chancery; and in case it shall appear to the satisfaction of said  
 16 court that the assets and funds of said association are not sufficient as  
 17 aforesaid, or that the interests of the public require, the said court shall  
 18 decree a dissolution of the said association and a distribution of its  
 19 effects.

Section 18. Any such association may allow reasonable compensation to  
 2 its auditing committees for their services as such, and may, for the legiti-  
 3 mate purposes of such association, on a vote of a majority of all its directors,  
 4 borrow money in anticipation of not exceeding three months receipts.

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#### AMENDMENT PROPOSED BY COMMITTEE ON BUILDING AND LOAN ASSOCIATIONS.

Amend section 1 by adding after the word "assembly" the following:  
 2 That an act entitled "An act to enable associations of persons to become a  
 3 body corporate to raise funds to be loaned only among the members of such  
 4 associations," be and the same is hereby amended by adding thereto the  
 5 following, to be numbered sections 15, 16, 17 and 18,



1. Introduced by Mr. Mac-Millan February 6, 1891, and ordered to first reading.
2. First reading February 6, 1891, 500 copies ordered printed, and referred to Committee on World's Columbian Exposition.

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## A BILL

For an act to provide for the participation of the State of Illinois in the "World's Columbian Exposition" authorized by act of Congress of the United States to be held in the city of Chicago during the year 1893, in commemoration of the discovery of America in the year 1492; and for an appropriation to pay the cost and expense of the same.

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Whereas: The United States, by act of Congress has provided for celebrating the four hundredth anniversary of the discovery of America by holding an universal exposition in which the governments and people of foreign nations and of the States of this Union have been invited to join; and

Whereas: The great importance to mankind of the event which it is intended thus to commemorate; the location of said exposition in the chief city of this State, affording to our citizens opportunity for educational improvement and material benefits rarely accorded to any people; the prominent position already attained by this new commonwealth in the ranks of industrial progress and its abundant resources from which to gather additional wealth and honors, all appeal to our patriotism, State pride, sense of duty and self-interest so urgently as not to be wisely disregarded, demanding that the State of Illinois, following the example of the federal

15 government, shall, in its municipal capacity, participate as an exhibitor in  
 16 the World's Columbian Exposition in a manner at once creditable to its  
 17 citizens and of attractive interest to all visitors; therefore

Section 1. *Be it enacted by the People of the State of Illinois represented in*  
 2 *in the General Assembly,* That in order that the State of Illinois may par-  
 3 ticipate in the said World's Columbian Exposition the Illinois State Board  
 4 of Agriculture is hereby authorized and empowered to secure the necessary  
 5 allotment of grounds, cause to be erected thereon and suitably furnished,  
 6 in accordance with the plans to be approved by the Governor and by the  
 7 chief of construction of the board of directors of the World's Columbian  
 8 Exposition, the necessary building or buildings to serve for exhibition pur-  
 9 poses and as headquarters for the several departments, boards, commissions  
 10 and bureaus of the State Government, for the Illinois members of the  
 11 national commission and of the board of lady managers, and for the Illinois  
 12 division of the Grand Army of the Republic; with the necessary halls, office  
 13 and accessories.

§ 2. The said State Board of Agriculture is hereby empowered to obtain  
 2 and cause to be properly installed in said exhibition building or buildings  
 3 a *collective, departmental exhibit* for the State of Illinois, which shall illus-  
 4 trate the natural resources of this State, together with the methods em-  
 5 ployed and results accomplished by the State, in its municipal capacity,  
 6 through its several departments, boards, commissions, bureaus and other  
 7 agencies in the work of promoting the moral, educational and material  
 8 welfare of its inhabitants so far as such methods and results are suscept-  
 9 ible of exhibition in the manner proposed; such collective exhibit to include  
 10 and to be chiefly composed as follows:

11 First (a) A model common school room of high grade fully equipped and  
 12 furnished under the direction of the State Superintendent of Public In-  
 13 struction.



14 (b) An illustration of the methods and results of educational work as  
 15 pursued in the Normal universities, the public, technical and art schools,  
 16 and the high schools of the State.

17 (c) An exhibit by the University of Illinois of the equipment, methods  
 18 of instruction and achievements of that institution in its several depart-  
 19 ments.

20 (d) An exhibit of the educational and industrial work as conducted in  
 21 the State charitable institutions.

22 (e) An exhibit illustrating the entire system of the inspection of the  
 23 several varieties of grain, as established by the State Railroad and Ware-  
 24 house Commission and practiced by the State grain inspection department.

25 Second—Collections, correctly classified and labeled, illustrating the nat-  
 26 ural history and archaeology of this State, including its stratigraphical and  
 27 economic geology, its soils, subsoils, useful clays and ores, and other  
 28 products of mines and quarries; its botany and zoology, with the products  
 29 of forests, lakes and rivers; also an exhibit by the State Fish Commission  
 30 of native and cultivated live fish, with hatchery and appliances and equip-  
 31 ments for transportation, models of fishways in use, etc.; also a special col-  
 32 lection of the cultivated products in the several branches of Agriculture,  
 33 farm culture, horticulture and floriculture—in illustration of the widely  
 34 different conditions of soil and climate under which Rural husbandry is  
 35 practiced in the various sections of this State.

36 Third—Architectural drawings (with elevations) of every public building  
 37 erected and now used or maintained in whole or in part by the State, with  
 38 map showing the location of each and accompanied with historical and ex-  
 39 planatory notes and tables, also maps, charts, diagrams and tables for the State,  
 40 and, so far as practicable, for each county, showing its geology, distribution of  
 41 useful minerals, its topography, with its lakes, rivers, canals and railways, its  
 42 climatic conditions, its industrial growth and increase in population by de-

6 vouchers and bills signed by the president of said Illinois State Board of  
7 Agriculture, countersigned by the secretary thereof and approved by the  
8 Governor: *And provided also*, that not to exceed one-half of the sum  
9 hereby appropriated shall be paid from the State treasury during the year  
10 1891: *And provided further*, that in no event shall the State of Illinois be  
11 held or become liable in any amount in excess of the sum hereby appropriated.

1. Introduced by Mr. Caldwell, February 6, 1891, and ordered to first reading.
2. First reading February 6, 1891, and referred to Committee on Insurance.
3. Reported back April 6, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act for the better regulation of fire insurance.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That hereafter all fire insurance companies doing business in this State, whether foreign or domestic, whenever they issue a policy of insurance for one year or a term of years, and specify an amount therein as the value of the property insured, and thereafter charge or receive premiums on said amount until a total or partial loss occurs, then such valuation specified in the policy shall be conclusively deemed and taken as the liquidated and fixed value of the property insured, any clause or condition contained in the policy to the contrary notwithstanding, and the loss, whether total or partial, shall be adjusted by the company according to such fixed valuation.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

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1. Introduced by Mr. Mahoney February 7, 1891, and ordered to first reading.
2. First reading February 7, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891 passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 53, article 9, of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 53 of article 9 of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, be amended to read as follows:

Sec. 53. Whenever any city or village shall apply to any court for the purpose of making just compensation for property taken or damaged by such proceedings as are authorized by this act, such city or village may file in the same proceedings a supplemental petition, praying the court to cause that an assessment be made for the purpose of raising the amount necessary to pay the compensation and damages which may be or shall have been awarded for the property taken or damaged with the costs of the proceeding. The said court shall have power, at any time after such supplemental petition shall have been filed, to appoint three commissioners to

10 make such assessment and to ascertain, as near as may be, the costs in-  
11 curred to the time of such appointment, and the probable further costs of  
12 the proceedings, including therein the estimated costs of making and col-  
13 lecting such assessment, and shall direct such cost to be included by such  
14 commissioners in making said assessment. Like proceedings in making said  
15 assessment shall be had, and the assessment shall be made, collected and  
16 enforced in the same manner, as near as may be, as is provided in this  
17 article in other cases: *Provided, however,* in all proceedings heretofore com-  
18 menced, where the property has not been fully paid for, or that shall here-  
19 after be commenced, said city or village shall take and pay for the lands  
20 sought to be taken or damaged within two years of the entry of judgment  
21 in such condemnation proceedings. And after the expiration of such time  
22 the court in which the proceedings may have been had, upon a motion of  
23 any person interested in the lands, may enquire in a summary manner  
24 whether the lands in which such person is interested have been taken or  
25 damaged and paid for; and if the court finds that such lands have not  
26 been taken or damaged and not been paid for, it shall enter an order re-  
27 quiring the city or village to pay for such lands within a short day, to be  
28 fixed by the court; and in default thereof shall dismiss such proceedings as  
29 far as they relate to lands of such person. If, however, the court finds  
30 that such city or village has taken possession of the land and has not paid  
31 therefor, it shall enter an order requiring such city or village to pay the  
32 amount of the condemnation judgment, with interest from the time of  
33 such taking, within a short day, to be fixed by the court; and in default  
34 thereof, to dismiss the proceedings and enter a several judgment in favor  
35 of such land owners for interest from the day of such taking, and direct  
36 the issue of a writ of possession in favor of the several owners or their  
37 legal representative or grantees respectively. And such dismissal as afore-  
38 said shall operate as a bar to further proceedings under such ordinance

39 against the land affected by such dismissal. And every such cause shall  
40 be considered as pending in the court in which the same has been or  
41 shall be commenced, until all lands sought to be taken are paid  
42 for, or until the proceedings are dismissed where the lands have not been  
43 taken.





1. Introduced by Mr. Caldwell, February 7, 1891, and ordered to first reading.
2. First reading February 7, 1891, and referred to Committee on Mines and Mining.
3. Reported back March 1, 1891, and ordered to be printed for the use of the Committee.

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## A BILL

For an act to amend "An act providing for the health and safety of persons employed in coal mines," approved June 4, 1889.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 11 of an act entitled "An act provid-

3 *ing for the health and safety of persons employed in coal mines," approved*

4 *June 4, 1889, be and the same is hereby amended to read as follows:*

Section 11. This State shall be divided into six inspection districts, as

2 follows:

3 The first district shall be composed of the counties of Boone, McHenry,

4 Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy, Will,

5 Livingston, Kankakee, Ford and Iroquois.

6 The second district shall be composed of the counties of JoDavies,

7 Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock Island, Henry,

8 Bureau, Mercer, Stark, Putnam, Marshall, Henderson, Warren, Knox,

9 Hancock, McDonough, Schuyler, Adams and Brown.

10 The third district shall be composed of the counties of Fulton, Peoria,

11 Woodford, Tazewell, McLean, Mason, Cass, Menard, Logan, DeWitt.

12 The fourth district shall be composed of the counties of Pike, Scott,  
 13 Morgan, Sangamon, Calhoun, Greene, Jersey, Madison, Bond, Macoupin,  
 14 Montgomery.

15 The fifth district shall be composed of the counties of Vermilion,  
 16 Champaign, Piatt, Douglas, Moultrie, Macon, Christian, Shelby, Coles, Edgar,  
 17 Clark, Cumberland, Crawford, Jasper, Effingham, Fayette, Marion, Clay,  
 18 Richland, Lawrence, Wabash, Edwards and Wayne.

19 The sixth district shall be composed of the counties of St. Clair, Clinton,  
 20 Washington, Jefferson, Hamilton, White, Monroe, Randolph, Perry, Jackson,  
 21 Franklin, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin,  
 22 Alexander, Pulaski, Massac.

23 The Governor shall, upon the recommendation of a board of examiners  
 24 selected for that purpose, composed of two practical coal miners, two coal  
 25 operators, and one mining engineer, to be designated by the commissioners  
 26 of labor statistics of this State, appoint six properly qualified persons to fill the  
 27 offices of inspectors of coal mines of this State (being one inspector for each  
 28 district provided for in this act), whose commissions shall be for the term  
 29 of two years, but who shall at all times be subject to removal from office  
 30 for neglect of duty or malfeasance in the discharge of duty, as hereinafter  
 31 provided.

32 The inspectors so appointed shall have attained the age of thirty years,  
 33 be citizens of this State, and have a knowledge of mining engineering  
 34 sufficient to conduct the development of coal mines, and a practical know-  
 35 ledge of the methods of conducting mining for coal in the presence of  
 36 explosive gases, and of the proper ventilation of coal mines. They shall  
 37 have had a practical mining experience of ten years, and shall not be  
 38 interested either as owner, operator, stockholder, superintendent or mining  
 39 engineer of any coal mine, during their term of office, and shall be of good  
 40 moral character and temperate habits. They shall be provided by the State  
 41 with the most approved modern instruments for carrying out the intention

42 of this act. The inspectors, before assuming the duties of their several  
43 offices, shall take an oath of office as provided for by the constitution, and  
44 shall be required to enter into a bond to the State in the sum of five  
45 thousand dollars (\$5,000), with sureties to be approved by the Governor,  
46 conditioned upon the faithful performance of their duties in every particular,  
47 as required by this act: said bond with the approval of the Governor  
48 endorsed thereon, together with the oath of office, shall be deposited with  
49 the Secretary of State. The salaries of the inspectors provided for by this  
50 act shall be eighteen hundred dollars (\$1,800) per annum each, and the  
51 Auditor of Public Accounts is hereby authorized to draw his warrant on  
52 the Treasurer in their favor quarterly for the amounts specified in this  
53 section for the salary of each inspector, and in like manner shall pay the  
54 actual and necessary traveling expenses of said inspectors, while in the  
55 discharge of their public duties, upon itemized quarterly accounts, verified  
56 by affidavit, and approved by the secretary of the commissioners of labor,  
57 and the Governor: *Provided*, that such expenditures shall not exceed the  
58 sum of one hundred and fifty dollars (\$150) per quarter for each inspector:  
59 *And provided*, that the county board of any county may appoint an assistant  
60 inspector for said county, who shall act under the directions of the district  
61 inspector in the performance of his duties, and shall receive not less than  
62 three dollars (\$3), nor more than four dollars (\$4) per day for the time actually  
63 employed, to be paid out of the county treasury: and he may be removed  
64 by such county board at any time.



1. Introduced by Mr. Caldwell, February 7, 1891, and ordered to first reading.
2. First reading February 7, 1891, and referred to Committee on Mines and Mining.
3. Reported back April 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend "An act providing for the health and safety of persons employed in coal mines," approved June 4, 1889.

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*SECTION 1. Be it enacted by the Senate of the State of Illinois, recommended in the General Assembly.* That section 11 of an act entitled "An act providing for the health and safety of persons employed in coal mines," approved June 4, 1889, be and the same is hereby amended to read as follows:

Section 11. This State shall be divided into six inspection districts, as follows:

The first district shall be composed of the counties of Boone, McHenry, Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy, Will, Livingston, Kankakee, Ford and Iroquois.

The second district shall be composed of the counties of JoDavies, Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock Island, Henry, Bureau, Mercer, Stark, Putnam, Marshall, Henderson, Warren, Knox, Hancock, McDonough, Schuyler, Adams and Brown.

The third district shall be composed of the counties of Fulton, Peoria, Woodford, Tazewell, McLean, Mason, Cass, Menard, Logan, DeWitt.

The fourth district shall be composed of the counties of Pike, Scott,

13 Morgan, Sangamon, Calhoun, Greene, Jersey, Madison, Bond, Macoupin,  
14 Montgomery.

15 The fifth district shall be composed of the counties of Vermilion,  
16 Champaign, Piatt, Douglas, Moultrie, Macon, Christian, Shelby, Coles, Edgar,  
17 Clark, Cumberland, Crawford, Jasper, Effingham, Fayette, Marion, Clay,  
18 Richland, Lawrence, Wabash, Edwards and Wayne.

19 The sixth district shall be composed of the counties of St. Clair, Clinton,  
20 Washington, Jefferson, Hamilton, White, Monroe, Randolph, Perry, Jackson,  
21 Franklin, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin,  
22 Alexander, Pulaski, Massac.

23 The Governor shall, upon the recommendation of a board of examiners  
24 selected for that purpose, composed of two practical coal miners, two coal  
25 operators, and one mining engineer, to be designated by the commissioners  
26 of labor statistics of this State, appoint six properly qualified persons to fill  
27 the offices of inspectors of coal mines of this State (being one inspector for  
28 each district provided for in this act), whose commissions shall be for the  
29 term of two years, but who shall at all times be subject to removal from  
30 office for neglect of duty or malfeasance in the discharge of duty, as here  
31 inafter provided.

32 The inspectors so appointed shall have attained the age of thirty years,  
33 be citizens of this State, and have a knowledge of mining engineering  
34 sufficient to conduct the development of coal mines, and a practical know-  
35 ledge of the methods of conducting mining for coal in the presence of  
36 explosive gases, and of the proper ventilation of coal mines. They shall  
37 have had a practical mining experience of ten years, and shall not be  
38 interested either as owner, operator, stockholder, superintendent or mining  
39 engineer of any coal mine, during their term of office, and shall be of good  
40 moral character and temperate habits. They shall be provided by the State  
41 with the most approved modern instruments for carrying out the intention  
42 of this act. The inspectors, before assuming the duties of their several

43 offices, shall take an oath of office as provided for by the constitution, and  
44 shall be required to enter into a bond to the State in the sum of five  
45 thousand dollars (\$5,000), with sureties to be approved by the Governor.  
46 conditioned upon the faithful performance of their duties in every particular.  
47 as required by this act; said bond with the approval of the Governor  
48 endorsed thereon, together with the oath of office, shall be deposited with  
49 the Secretary of State. The salaries of the inspectors provided for by this  
50 act shall be eighteen hundred dollars (\$1,800) per annum each, and the  
51 Auditor of Public Accounts is hereby authorized to draw his warrant on  
52 the Treasurer in their favor quarterly for the amounts specified in this  
53 section for the salary of each inspector, and in like manner shall pay the  
54 actual and necessary traveling expenses of said inspectors, while in the  
55 discharge of their public duties, upon itemized quarterly accounts, verified  
56 by affidavit, and approved by the secretary of the commissioners of labor,  
57 and the Governor: *Provided*, that such expenditures shall not exceed the  
58 sum of one hundred and fifty dollars (\$150) per quarter for each inspector;  
59 *And provided*, that the county board of any county may appoint an assistant  
60 inspector for said county, who shall act under the directions of the district  
61 inspector in the performance of his duties, and shall receive not less than  
62 three dollars (\$3), nor more than four dollars (\$4) per day for the time actually  
63 employed, to be paid out of the county treasury; and he may be removed  
64 by such county board at any time.





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1. Introduced by Mr. Caldwell February 7, 1891, and ordered to first reading.
  2. First reading February 7, 1891, and referred to Committee on Mines and Mining.
  3. Reported back April 1, 1891, passage recommended and ordered to second reading.
  4. Second reading April 17, 1891, and ordered to third reading.
  5. Recalled from third reading April 20, 1891, amended, and again ordered to third reading.

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## A BILL

For an act to amend "An act providing for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 11 of an act entitled "An act providing for the health and safety of persons employed in coal mines," approved May 28, 1879, in force July 1, 1879, be and the same is hereby amended to read as follows:

Section 11. This State shall be divided into six inspection districts, as follows:

The first district shall be composed of the counties of Boone, McHenry, Lake, DeKalb, Kane, DuPage, Cook, LaSalle, Kendall, Grundy, Will, Livingston, Kankakee, Ford and Iroquois.

The second district shall be composed of the counties of JoDavies, Stephenson, Winnebago, Carroll, Ogle, Whiteside, Lee, Rock Island, Henry, Bureau, Mercer, Stark, Putnam, Marshall, Henderson, Warren, Knox, Hancock, McDonough, Schuyler, Adams and Brown.

10 The third district shall be composed of the counties of Fulton, Peoria,  
11 Woodford, Tazewell, McLean, Mason, Cass, Menard, Logan, DeWitt.

12 The fourth district shall be composed of the counties of Pike, Scott,  
13 Morgan, Sangamon, Calhoun, Greene, Jersey, Madison, Bond, Macoupin,  
14 Montgomery.

15 The fifth district shall be composed of the counties of Vermilion  
16 Champaign, Piatt, Douglas, Moultrie, Macon, Christian, Shelby, Coles, Edgar,  
17 Clark, Cumberland, Crawford, Jasper, Effingham, Fayette, Marion, Clay,  
18 Richland, Lawrence, Wabash, Edwards and Wayne.

19 The sixth district shall be composed of the counties of St. Clair, Clinton,  
20 Washington, Jefferson, Hamilton, White, Monroe, Randolph, Perry, Jackson,  
21 Franklin, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alex-  
22 ander, Pulaski, Massac.

23 The Governor shall, upon the recommendation of a board of examiners  
24 selected for that purpose, composed of two practical coal miners, two coal  
25 operators, and one mining engineer, to be designated by the commissioners  
26 of labor statistics of this State, appoint six properly qualified persons to fill  
27 the offices of inspectors of coal mines of this State (being one inspector for  
28 each district provided for in this act), whose commission shall be for the  
29 term of two years, but who shall at all times be subject to removal from  
30 office for neglect of duty or malfeasance in the discharge of duty, as here-  
31 inafter provided.

32 The inspectors so appointed shall have attained the age of thirty years,  
33 be citizens of this State, and have a knowledge of mining engineering  
34 sufficient to conduct the development of coal mines, and a practical knowl-  
35 edge of the methods of conducting mining for coal in the presence of  
36 explosive gases, and of the proper ventilation of coal mines. They shall  
37 have had a practical mining experience of ten years, and shall not be  
38 interested either as owner, operator, stockholder, superintendent or mining

39 engineer of any coal mine, during their term of office, and shall be of good  
40 moral character and temperate habits. They shall be provided by the State  
41 with the most approved modern instruments for carrying out the intention  
42 of this act. The inspectors, before assuming the duties of their several  
43 offices, shall take an oath of office as provided for by the constitution, and  
44 shall be required to enter into a bond to the State in the sum of five  
45 thousand dollars (\$5,000), with sureties to be approved by the Governor,  
46 conditioned upon the faithful performance of their duties in every particular,  
47 as required by this act; said bond with the approval of the Governor  
48 endorsed thereon, together with the oath of office, shall be deposited with  
49 the Secretary of State. The salaries of the inspectors provided for by this  
50 act shall be eighteen hundred dollars (\$1,800) per annum each, and the  
51 Auditor of Public Accounts is hereby authorized to draw his warrant on  
52 the Treasurer in their favor quarterly for the amounts specified in this  
53 section for the salary of each inspector, and in like manner shall pay the  
54 actual and necessary traveling expenses of said inspectors, while in the  
55 discharge of their public duties, upon itemized quarterly accounts, verified  
56 by affidavit, and approved by the secretary of the commissioners of labor,  
57 and the Governor: *Provided*, that such expenditures shall not exceed the  
58 sum of one hundred and fifty dollars (\$150) per quarter for each inspector;  
59 *And provided*, that the county board of any county may appoint an assistant  
60 inspector for said county, who shall act under the directions of the district  
61 inspector in the performance of his duties, and shall receive not less than  
62 three dollars (\$3) nor more than four dollars (\$4) per day for the time  
63 actually employed, to be paid out of the county treasury; and he may be  
64 removed by such county board at any time.



1. Introduced by Mr. Rickert February 7, 1891, and ordered to first reading.
2. First reading February 7, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section five (5) of article eleven (11) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section five (5) of article eleven (11) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

Section 5. Whenever any area of contiguous territory not exceeding two square miles, shall have resident thereon a population of at least two hundred inhabitants, and which territory is not included within the limits of any incorporated town, village or city, the same may be incorporated as a village under this act, in the manner following:

Any thirty legal voters resident within the limits of such proposed village may petition the county judge of the county in which they reside, to cause the question to be submitted to the legal voters of such proposed village, whether they will organize as a village under this act. And if the territory

**10** ~~described~~ in said petition shall be situated in more than one county then  
**11** the petition shall be addressed to the judge of the county court of the  
**12** county where the greater part of such territory is situated. Such petition  
**13** shall be addressed to the county judge, contain a definite description of the  
**14** lands intended to be embraced in such village, the number of inhabitants  
**15** resident therein, and the name of said proposed village.

1. Introduced by Mr. Hunt February 10, 1891, and ordered to first reading.
2. First reading February 10, 1891, and referred to Committee on Mines and Mining.
3. Reported back March 3, 1891, and ordered to be printed for use of committee.

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## A BILL

For an act to amend section 4 of an act providing for the health and safety of persons employed in coal mines.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 4 of an act entitled "An act to provide for the health and safety of persons employed in coal mines," as approved June 4, 1889, be and the same is hereby amended by substituting for the words in said section, "Such examiner shall make a daily record of the condition of the mine in a book kept for that purpose, which shall be open at all times to the examination of the inspector," the following words, to-wit: "Such examiner shall mark with chalk in some conspicuous place on the face of each working room the number of the month and the day of the month on which his inspection is made, and shall make a daily record of the condition of the mine, in a book kept for that purpose, which shall be open at all times to the examination of the inspector."





1. Introduced by Mr. Hunt, February 10, 1891, and ordered to first reading.
2. First reading February 10, 1891, and referred to Committee on Mines and Mining.
5. Reported back April 1, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to amend section 4 of "An act providing for the health and safety of persons employed in coal mines."

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 4 of an act entitled "An act to provide for the health and safety of persons employed in coal mines," as approved June 4, 1889, be and the same is hereby amended by substituting for the words in said section, "Such examiner shall make a daily record of the condition of the mine in a book kept for that purpose, which shall be open at all times to the examination of the inspector," the following words, to-wit: "Such examiner shall mark with chalk in some conspicuous place on the face of each working room the number of the month and the day of the month on which his inspection is made, and shall make a daily record of the condition of the mine, in a book kept for that purpose, which shall be open at all times to the examination of the inspector."



1. Introduced by Mr. Hunt February 10, 1891, and ordered to first reading.
2. First reading February 10, 1891, and referred to Committee on Mines and Mining.
3. Reported back March 4, 1891, and ordered to be printed for use of committee.

---

## A BILL

For an act to amend section 3 of "An act to provide for the weighing of coal at the mines."

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*Enacted by the People of the State of Illinois, represented in the General Assembly.* That section 3 of an act entitled "An act to provide for the weighing of coal at the mines, and to repeal a certain act therein named," approved June 16, 1887, be and the same is hereby amended to read as follows:

Section 3. It shall be lawful for the miners employed in any coal mine in this State to furnish a check-weighman at their own expense, whose duty it shall be to balance the scales and see that the coal is properly weighed, and that a correct account of the same is kept, and for this purpose he shall have access at all times to the beam box of said scales, and be afforded facilities for the discharge of his duties while the weighing is being performed.

The agent employed by the miners as aforesaid, to act as check-weighman, shall be a citizen of the United States, and shall, before entering

10 upon his duties, make and subscribe to an oath, before some officer duly  
11 authorized to administer oaths, that he is duly qualified and will faithfully  
12 discharge the duties of check-weighman; such oath shall be kept conspicu-  
13 ously posted at the place of weighing.

- 
1. Introduced by Mr. Hunt, February 10, 1891, and ordered to first reading.
  2. First reading February 10, 1891, and referred to Committee on Mines and Mining.
  3. Reported back April 1, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to amend section 3 of "An act to provide for the weighing of coal at the mines."

---

*SECTION 1. Be it enacted by the People of the State of Illinois represented in the General Assembly, That section 3 of an act entitled "An act to provide for the weighing of coal at the mines, and to repeal a certain act therein named," approved June 16, 1887, be and the same is hereby amended to read as follows:*

Section 3. It shall be lawful for the miners employed in any coal mine in this State to furnish a check-weighman at their own expense, whose duty it shall be to balance the scales and see that the coal is properly weighed, and that a correct account of the same is kept, and for this purpose he shall have access at all times to the beam box of said scales, and be afforded facilities for the discharge of his duties while the weighing is being performed.

8 The agent employed by the miners as aforesaid, to act as check-weigh-

9 man, shall be a citizen of the United States, and shall, before entering  
10 upon his duties, make and subscribe to an oath, before some officer duly  
11 authorized to administer oaths, that he is duly qualified and will faithfully  
12 discharge the duties of check-weighman; such oath shall be kept conspicu-  
13 ously posted at the place of weighing.

1. Introduced by Mr. Noonan, February 10, 1891, and ordered to first reading.
2. First reading February 10, and referred to Committee on Judiciary.
3. Reported back with amendments March 4, passage recommended, and ordered to second reading.

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## A BILL

For an act for the relief of sane persons confined in insane asylums in the State of Illinois, by placing the inmates of insane asylums under the protection of the laws, by securing to them their postal rights.

Whereas, The imprisoned inmates of insane asylums are outside the pale of justice and beyond the reach of the laws by having no means of access to the law while deprived of their postoffice rights; and whereas, those incapable of self-defense are justly entitled to the protection of the same laws as shield all other citizens; therefore, justice demands that this link, which now severs them from access to the laws, should be legally established; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That from and after the passage of this act each inmate of every insane asylum, both public and private, in the State of Illinois, shall be allowed to choose one person from the outside world to whom he or she may write when and whatever he or she desires, and over these letters to such person there shall be no censorship exercised or allowed by any of the asylum officials or employees; but the postoffice rights of such in-

8 mates, so far as the person so chosen is concerned, shall be as free and un-  
 9 restricted as are those of any other resident or citizen of the United States,  
 10 and shall be under the protection of the same postal laws; and every such  
 11 inmate shall have the right, if he or she so desires, to make a new choice  
 12 of such correspondent every three months; and it shall be the duty of the  
 13 superintendent to furnish every such inmate, if requested so to do, with  
 14 suitable material for writing, inclosing sealing, stamping, and mail-  
 15 ing at least one letter a week, unless the inmate is otherwise furnished  
 16 with such materials; and all such letters shall be dropped by the writers  
 17 thereof, accompanied by an attendant, when necessary, into a United States  
 18 postoffice box; but the attendant shall in all cases see that such letters are  
 19 directed to the patient's correspondent, and if they are not so directed they  
 20 shall be held subject to the superintendent's disposal.

§ 2. That it is hereby made the duty of the superintendent to keep reg-  
 2 istered and posted in some public place at the insane asylum a true list of  
 4 the name of every person so chosen, and by whom chosen; and it is hereby  
 5 made the duty of the superintendent to inform each of the persons so  
 6 chosen of the name of the party choosing him or her, and to request him or  
 7 her to write his or her name on the outside of the envelope of every letter  
 8 he or she writes to such inmate; and all such letters bearing the writer's  
 9 name on the outside shall be promptly delivered to the person addressed  
 10 and shall not be opened or read by any one else without the voluntary  
 11 consent of the party to whom the same is addressed being first obtained;  
 12 *Provided, however*, if there is reason to believe that the envelope contains ma-  
 13 terial which might be used for medication, then in that case the letter  
 14 shall be opened in the presence of a competent witness, and this substance  
 15 shall be delivered to the superintendent to be disposed of at his discretion,  
 16 but the letter must be delivered as directed.

§ 3. That any superintendent, officer or employee of any asylum in this  
 2 State, whether public or private, who refuses or neglects to comply with or



3 willfully and knowingly violates any of the provisions of this act, shall be  
 4 guilty of a misdemeanor, and upon conviction thereof shall be punished as  
 5 the criminal code of this State prescribes for misdemeanors, and shall there-  
 6 after be incapable of holding any office in any asylum.

§ 4. Any one who maliciously causes the imprisonment of any sane per-  
 2 son, knowing such person to be sane, in any asylum, public or private, in  
 3 this State, shall be guilty of a misdemeanor and punished accordingly.

§ 5. That a printed copy of this act shall be framed and kept posted in  
 2 every ward of every insane asylum, both public and private, in this State.

#### AMENDMENTS PROPOSED BY COMMITTEE ON JUDICIARY TO SEN- ATE BILL ES.

Amended by striking out the present title and substituting therefor the  
 2 following:

3 A bill for an act for the protection of persons confined in the insane  
 4 asylums of this State in their rights to communicate by letter with their  
 5 friends.

6 Amended by striking out section 4.

7 Amended by making section 5 section 4.

8 Amended by omitting all words after the word "State" in third line of sec-  
 6 tion 5, now section 4.



1. Introduced by Mr. Hunt, February 10, 1891, and ordered to first reading.
2. First reading February 10, 1891, and referred to Committee on Appropriations.
3. Reported back March 25, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act making appropriations for the State Board of Agriculture and county and other agricultural fairs.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That there be and is hereby appropriated to the  
3 State Board of Agriculture the following sums, to-wit:

4 For the payment of premiums at the annual State fair, the sum of five  
5 thousand dollars (\$5,000) per annum for the years 1891 and 1892; and for the  
6 use of each county or other agricultural society, the sum of one hundred  
7 dollars (\$100) per annum, to be paid to the treasurer of the society, for fairs  
8 held in the years 1890 and 1891; and for the use of each congressional dis-  
9 trict holding farmers' institute meetings, for the payment of the expenses of  
10 holding such institute meetings and publishing and distributing reports of  
11 such meetings, the sum of one hundred dollars (\$100) per annum, to be  
12 drawn upon the order of the State Board of Agriculture, and to be paid  
13 on account of such meetings held for the years 1891 and 1892.

14 For the salary of the secretary, the sum of twenty-five hundred dollars  
15 (\$2,500) per annum for the years 1891 and 1892.

16 For clerk hire, the sum of two thousand two hundred dollars (\$2,200) per  
17 annum for the years 1891 and 1892.

18 For curator, the sum of eight hundred dollars (\$800) per annum for the  
19 years 1891 and 1892.

20 For porter, the sum of eight hundred dollars (\$800) per annum for the  
21 years 1891 and 1892.

22 For the agricultural museum, the sum of three hundred dollars (\$300) per  
23 annum for the years 1891 and 1892.

24 For the expense of collecting, compiling and publishing crop statistics  
25 and proceedings of institute meetings, the sum of twelve hundred dollars  
26 (\$1,200) per annum for the years 1891 and 1892.

27 For the agricultural library, the sum of four hundred dollars (\$400) per  
28 annum for the years 1891 and 1892.

29 For office expenses, furniture, repairs, postage, expressage, etc., the sum  
30 of twelve hundred dollars (\$1,200) per annum for the years 1891 and 1892.

§ 2. That on the order of the president, countersigned by the secretary  
2 of the State Board of Agriculture, and approved by the Governor, the  
3 Auditor of Public Accounts shall draw his warrant upon the Treasurer in  
4 favor of the treasurer of the Illinois State Board of Agriculture for the  
5 sums herein appropriated: *Provided*, that each warrant on account of county  
6 and other agricultural fairs shall show the agricultural society for whose  
7 benefit the same is drawn, and that no warrant shall be drawn in favor of  
8 any agricultural society unless the order aforesaid be accompanied by a  
9 certificate of the State Board of Agriculture, showing that such agricul-  
10 tural society held an agricultural fair during the preceding year, in com-  
11 pliance with the rules and regulations as provided by said State Board of  
12 Agriculture: *Provided further*, that no warrant shall be drawn in favor of  
13 any agricultural society until the president and treasurer of such society  
14 file an affidavit with the State Board of Agriculture that no wheel of

15 fortune or other gambling device was licensed or allowed upon their fair  
16 ground.

§ 3. It shall be the duty of the Treasurer of the State Board of Agricul-  
2 ture, on the order of the president, countersigned by the secretary of the  
3 State Board of Agriculture, to pay over to the treasurer of each agricul-  
4 tural society the sum received for its use and benefit as aforesaid, and  
5 make a biennial report to the Governor of all such appropriations received  
6 and disbursed by him.



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**AMENDMENTS TO SENATE BILL No. 139,--IN THE HOUSE.**

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Adopted by the House of Representatives May 21, 1891, ordered printed and engrossed May 21, 1891.

1. Amend by striking out all of line 8 after the figures "1891", and all of lines 9, 10, 11, 12 and 13 of section 1 of printed bill.

2. Amend by striking out the words in line 25 "proceedings of the institute meetings" and in lines 25 and 26 the words and figures "\$1,200" and insert in lieu thereof "\$600."





1. Introduced by Mr. Allen February 10, 1891, and ordered to first reading.
2. First reading February 10, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the punishment of persons, co-partnerships, or corporations forming pools, trusts and combines, and mode of procedure, and rules of evidence in such cases.

---

### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* If any corporation organized under the laws of  
3 this or any other State or country, for transacting or conducting any kind  
4 of business in this State, or any partnership or individual or other asso-  
5 ciation of persons, whoever, shall create, enter into, become a member of  
6 or a party to any pool, trust, agreement, combination, confederation or  
7 understanding with any other corporation, partnership, individual, or any  
8 other person, or associate of persons, to regulate or fix the price of any  
9 article of merchandise or commodity, or shall enter into, become a member  
10 of or a party to any pool, agreement, contract, combination or confederation  
11 to fix or limit the amount or quantity of any article, commodity or mer-  
12 chandise to be manufactured, mined, produced or sold in this State, shall

13 be deemed and adjudged guilty of a conspiracy to defraud, and be subject  
 14 to indictment and punishment as provided in this act.

§ 2. It shall not be lawful for any corporation to issue or to own trust  
 2 certificates, for any corporation, agent, officer or employee, or the direct-  
 3[ors or stockholders of any corporation, to enter into any combination, con-  
 4 tract or agreement with any person or persons, corporation or corporations,  
 5 or with any stockholder or director thereof, the purpose and effect of which  
 6 combination, contract or agreement shall be to place the management or  
 7 control of such combination or combinations, or the manufactured product  
 8 thereof, in the hands of any trustee or trustees, with the intent to limit or  
 9 fix the price or lessen the production and sale of any article of commerce,  
 10 use or consumption, or to prevent, restrict or diminish the manufacture or  
 11 output of any such article.

§ 3. If a corporation or a company, firm or association shall be found  
 2 guilty of a violation of this act, it shall be punished by a fine in any sum  
 3 not less than five hundred dollars (\$500), nor more than two thousand dol-  
 4 lars (\$2,000), for the first offense; and for the second offense not less than  
 5 two thousand dollars (\$2,000), nor more than five thousand dollars (\$5,000);  
 6 and for the third offense not less than five thousand dollars (\$5,000), nor  
 7 more than ten thousand dollars (\$10,000); and for every subsequent offense  
 8 and conviction thereof, shall be liable to a fine of fifteen thousand dollars  
 9 (\$15,000): *Provided*, that in all cases under this act either party shall have  
 10 the right of trial by jury.

§ 4. Any president, manager, director or other officer or agent or receiver  
 2 of any corporation, company, firm or association, or any member of any  
 3 company, firm or association, or any individual, found guilty of a violation  
 4 of the first section of this act, may be punished by a fine of not less than  
 5 two hundred dollars (\$200), nor to exceed one thousand dollars (\$1,000), or

6 be punished by confinement in the county jail not to exceed one year, or  
 7 both, in the discretion of the court before which such conviction may be  
 8 had.

§ 5. Any contract or agreement in violation of any provision of the pre-  
 2 ceding sections of this act shall be absolutely void.

§ 6. Any purchaser of any article or commodity from any individual,  
 2 company or corporation transacting business contrary to any provision of  
 3 the preceding sections of this act shall not be liable for the price or pay-  
 4 ment of such article or commodity, and may plead this act as a defense  
 5 to any suit for such price or payment.

§ 7. The fines hereinbefore provided for may be recovered in an action of  
 2 debt, in the name of the People of the State of Illinois. If, upon the trial  
 3 of any cause instituted under this act to recover the penalties as provided  
 4 for in section three, the jury shall find for the people, and that the defend-  
 5 ant has been before convicted of a violation of the provisions of this act,  
 6 they shall return such finding with their verdict, stating the number of  
 7 times they find defendant so convicted, and shall assess and return with  
 8 their verdict the amount of the fine to be imposed upon the defendant in  
 9 accordance with said section three: *Provided*, that in all cases under the  
 10 provisions of this act, a preponderance of evidence in favor of the people  
 11 shall be sufficient to authorize a verdict and judgment for the people.

§ 8. It shall be the duty of the prosecuting attorneys in their respective  
 2 jurisdictions, and the Attorney General, to enforce the foregoing provisions of  
 3 this act, and any prosecuting attorney of any county, securing a conviction  
 4 under the provisions of this act, shall be entitled to such fee or salary as  
 5 by law he is allowed for such prosecution. When there is a conviction  
 6 under this act the informer shall be entitled to one-fifth of the fine recovered,  
 7 which shall be paid him when the same is collected. All fines recovered under

8 the provisions of this act shall be paid into the county treasury of the  
9 county in which the suit is tried, by the person collecting the same, in the  
10 manner now provided for by law, to be used for county purposes.

§ 9. Whereas, great injustice is being done to the people of this State by  
2 the formation of trusts and combines, therefore an emergency exists, and  
3 this act shall take effect and be in force from and after its passage.

1. Introduced by Mr. Knopf, February 11, 1891, and ordered to first reading.
2. First reading February 11, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 6, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 59 of an act entitled "An act to amend sections 59 and 60 of an act entitled 'An act to revise the law in relation to counties,'" approved March 31, 1874, as amended by the act of May 20, 1879, and to amend said act by adding a section in relation thereto to be known as section 59½, approved June 10, 1889.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section fifty-nine (59) of "An act to amend sections 59 and 60 of an act entitled 'An act to revise the law in relation to counties,'" approved March 31, 1874, as amended by the act of May 20, 1879, and to amend said act by adding a section in relation thereto to be known as section 59½, approved June 10, 1887, be and the same is hereby amended to read as follows:

Section 59. On Tuesday after the first Monday of November, A. D. 1893, there shall be elected by the legal voters of Cook county fifteen commissioners, who shall hold their office for the term of two years. On Tuesday after the first Monday of November, A. D. 1894, and every two years thereafter the legal voters of Cook county shall elect fifteen commissioners, who shall hold their office for the term of two years.

7 Ten of said commissioners shall be elected from the city of Chicago,  
8 by the legal voters of said city, and five of said commissioners shall  
9 be elected from the towns outside of said city by the legal voters of said  
10 towns.

1. Introduced by Mr. Knopf February 11, 1891, and ordered to first reading.
- First reading February 11, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 6, 1891, passage recommended and ordered to Committee on Municipalities.
4. Reported back with amendments April 29, 1891, and ordered to second reading.

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## A BILL

For an act to amend section 59 of an act entitled "An act to amend sections 59 and 60 of an act entitled 'An act, to revise the law in relation to counties,' approved March 31, 1874, as amended by the act of May 20, 1879, and to amend said act by adding a section in relation thereto to be known as section 59½, approved June 10, 1887."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section fifty-nine (59) of "An act to amend sections 59 and 60 of an act entitled 'An act to revise the law in relation to counties,' approved March 31, 1874, as amended by the act of May 20, 1879, and to amend said act by adding a section in relation thereto to be known as section 59½, approved June 10, 1887," be and the same is hereby amended to read as follows.

Section 59. On Tuesday after the first Monday of November, A. D. 1892, there shall be elected by the legal voters of Cook county fifteen commissioners who shall hold their office for the term of two years. On Tuesday after the first Monday of November, A. D. 1894, and every two years thereafter, the legal voters of Cook county shall elect fifteen commissioners,

6 who shall hold their office for the term of two years. Ten of said com-  
 7 missioners shall be elected from the city of Chicago, by the legal voters of  
 8 said city, and five of said commissioners shall be elected from the towns  
 9 outside of said city by the legal voters of said towns.

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**AMENDMENTS PROPOSED BY THE COMMITTEE ON MUNICIPALITIES**  
**TO SENATE (original) BILL No. 141.**

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Amend by striking out the words "An act to amend sections 59 and 60 of  
 an act entitled," on the second and third lines.

Amend by striking out the word "the" after the word "by," on the fifth  
 line.

Amend by striking out the words "of May 20, 1879, and to amend said act by  
 adding a section in relation thereto to be known as section 59½, approved June  
 10, 1889," on the fifth, six, seventh and eighth lines.

Amend by adding the following: "approved June 10, 1887, in force July 1,  
 1887," after the word "act," on the fifth line.

Amend by striking out the words "An act to amend sections 59 and 60  
 of," on the twelfth line.

Amend by striking out the word "the" after the word "by," on the fifteenth  
 line.

Amend by striking out the words "of May 20, 1879, and to amend said  
 act by adding a section in relation thereto to be known as section 59½, approved  
 June 10, 1887," after the word "act," on the fifteenth line.

Amend by adding the following: "approved June 10, 1887, in force July 1,  
 1887," after the word follows on the twentieth line.



1. Introduced by Mr. McDonald, February 12, 1891, and ordered to first reading.
2. First reading February 12, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back March 25, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875, and in force July 1, 1875, by providing that not more than two members of the boards of trustees of the State charitable institutions and the State Reform School shall be members of the same political party, and section two of this act to be numbered section seven and one-half of the original act.

---

### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly* That an act entitled "An act to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency," approved April 15, 1875, in force July 1, 1875, be and the same is hereby amended by adding a new section thereto to be known as section seven and one-half (7½), and to read as follows:

"Section 7½. That the boards of trustees of the several State charitable institutions and the State Reform School shall be composed of three members, not more than two of whom shall be members of the same political party: *Provided*, that no changes shall be made by virtue of this act in the said boards of trustees, except as vacancies may occur by expiration of the term or terms of office for which they shall have been appointed, or otherwise."



1. Introduced by Mr. Brink February 13, 1891, and ordered to first reading.
2. First reading February 13, 1891, and referred to Committee on License and Miscellany.
3. Reported back February 26, 1891, and ordered to be printed for use of committee.

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## A BILL

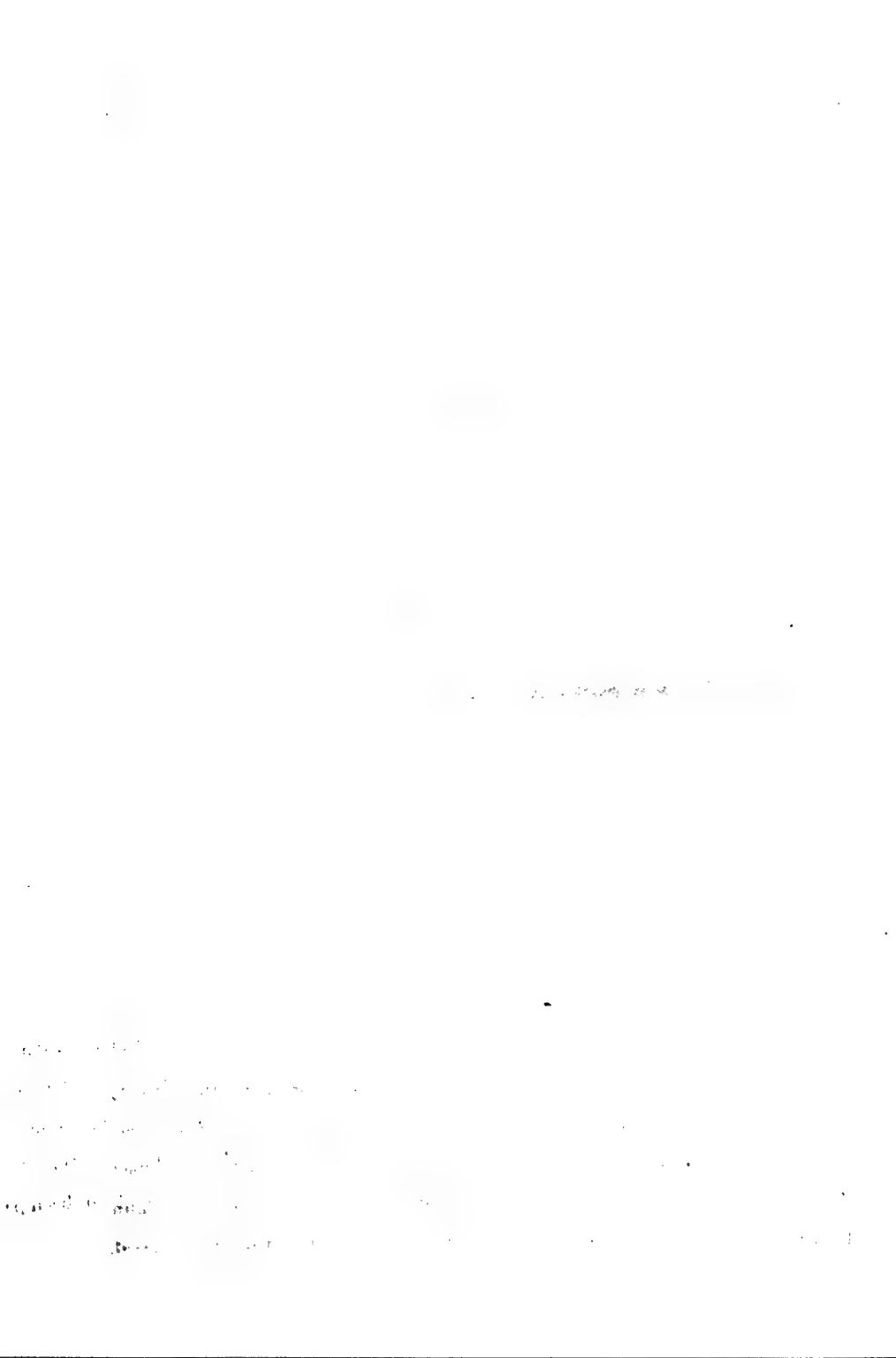
For an act to amend section six (6) of an act entitled "An act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors," approved March 30, 1874, in force July 1, 1874.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section six (6) of an act entitled "An act to  
3 provide for the licensing of and against the evils arising from the sale of  
4 intoxicating liquors," approved March 30, 1874, in force July 1, 1874, be  
5 hereby amended so that the same will read as follows:

Section 6. Whoever by himself or his agent or servant shall knowingly  
2 sell or give intoxicating liquors to any minor without the written order of  
3 his parent, guardian or family physician, or to any person intoxicated, or  
4 who is in the habit of getting intoxicated, shall, for each offense, be fined  
5 not less than twenty dollars (\$20) nor more than one hundred dollars (\$100),  
6 or imprisoned in the county jail not less than ten nor more than thirty  
7 days, or both, according to the nature of the offense: *Provided, this act*  
8 *shall not affect any prosecution pending at the time this act takes effect,*  
9 *but in every such prosecution the accused shall upon conviction be pun-*  
10 *ished in the same manner in all respects as if this act had not been passed.*



1. Introduced by Mr. Evans February 13, 1891, and ordered to first reading.
  2. First reading February 13, 1891, and referred to Committee on State Charitable Institutions.
  3. Reported back with amendments April 2, 1891, passage recommended and ordered to Committee on Appropriations.
  4. Reported back with amendments April 23, 1891, and ordered to second reading.
- 

## A BILL

For an act making appropriations to the Illinois Northern Hospital for the Insane at Elgin.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the following amounts be and are hereby appro-  
3 priated to the Illinois Northern Hospital for the Insane at Elgin, for the  
4 purposes hereinafter named, and for no other:

5 Brick barn for farm horses and young stock, three thousand dollars  
6 (\$3,000).

7 Associate dining-rooms, and changing ward dining-rooms into dormitories,  
8 eighteen thousand dollars (\$18,000).

9 New smoke stack at pump-house, one thousand two hundred dollars  
10 (\$1,200).

11 Inside and outside painting, three thousand dollars (\$3,000).

12 Enlarging rotary oven, eight hundred dollars (\$800).

13 Repairs and improvements, five thousand dollars (\$5,000), per annum,  
14 (\$10,000).

15 Improvement of grounds around new hospital building, one thousand  
16 dollars (\$1,000) per annum, (\$2,000).

17    **Renewal of laundry machinery, one thousand dollars (\$1,000).**

§ 2. The moneys herein appropriated shall be due and payable to the  
2   trustees of the aforesaid institution, or their order, on the terms and in the  
3   manner now provided by law.

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**AMENDMENTS PROPOSED BY THE COMMITTEE ON CHARITABLE  
INSTITUTIONS.**

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Amend by striking out the words "repairs and improvements, five thousand  
and dollars (\$5,000) per annum, (\$10,000).

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**PROPOSED AMENDMENTS TO SENATE BILL No. 148 BY THE COM-  
MITTEE ON APPROPRIATIONS.**

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1. Amend section 1 by striking out of line 8 the words and figures  
"eighteen thousand dollars(\$18,000)" and insert the words "twenty-five thousand  
dollars (\$25,000)" in lieu thereof.

2. Amend section 1 by striking out of lines 13 and 14 the words and  
figures "repairs and improvements, five thousand dollars (\$5,000) per annum,  
(\$10,000)."

3. Amend by adding the following: "There is further appropriated for  
the maintenance of 150 additional patients from the first of October, 1891, to  
the first of July, 1893, the sum of forty thousand dollars (\$40,000) payable in  
seven equal installments quarterly in advance.

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**AMENDMENTS TO SENATE BILL No. 148.**

Adopted by the House of Representatives May 27, 1891, ordered printed May 27, 1891.

1. Amend section 1 of the printed bill by striking out of line 11 the words and figures "three thousand (\$3,000)" and inserting in place thereof "fifteen hundred (\$1,500)."

2. Amend section 1, of the printed bill by striking out in lines 15 and 16 the words and figures "one thousand dollars (\$1,000) per annum, (\$2,000)" and inserting in place thereof the following: "five hundred (\$500) per annum, (\$1,000)."





1. Introduced by Mr. Evans February 13, 1891, and ordered to first reading.
2. First reading February 13, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back April 2, 1891, passage recommended and referred to Committee on Appropriations.
4. Reported back with amendments April 16, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making appropriations for the Illinois Northern Hospital for the Insane at Elgin.

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That the following sums be and are hereby appropriated to the Illinois Northern Hospital for the Insane at Elgin:

For changes in engines, new dynamos, etc., for electric light plant, seven thousand five hundred dollars (\$7,500).

For standpipe with capacity of 100,000 gallons, seven thousand dollars (\$7,000).

2. The moneys herein appropriated shall be due and payable to the trustees or to their order, only on the terms and in the manner now provided by law.

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### PROPOSED AMENDMENT TO SENATE BILL NO. 149 BY THE COMMITTEE ON APPROPRIATIONS.

Amend section 1 by adding after the word "Elgin" in line 3 the following words, "for the purposes herein stated and for no other."



1. Introduced by Mr. Humphrey, February 13, 1891, and ordered to first reading.
2. First reading February 13, 1891, and referred to Committee on Railroads.
3. Reported back March 19, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to define and establish the liability of railroad corporations for injuries by and to their fellow servants.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* Whenever any railroad corporation, operating any railroad in this State, shall have in its employ two or more fellow servants, co-employees or agents who shall be, by the nature of their employment, habitually associated and jointly engaged as such in the same line or branch of railroad service, connected in any manner with the use and operation of its railroad in and about its business as a common carrier of passengers and freight, and one of such fellow servants, co-employees or agents shall be injured or killed by reason or in consequence, wholly or in part, of the wrongful or negligent act or default of another of them, occurring in and about the latter's performance of his part of such branch or line of such railroad service in, or in any manner connected with, such use and operation of said railroad in and about its business as such common carrier of passengers and freight, and such wrongful or negligent act or default is such as would have entitled the said party injured, or in case of his death, his personal representative, for the benefit of his widow and next of kin, to have maintained an action against such railroad corporation,

18 and to have recovered therein damages in respect of such injuries or death,  
19 had the party so injured not been such fellow servant of the party so caus-  
20 ing such injury, then and in every such case such railroad corporation shall  
21 be liable to an action for damages for such injury at the suit of such in-  
22 jured servant, employe or agent, or in case of his death at the suit of  
23 his personal representative, as aforesaid, for the benefit of his widow and  
24 next of kin, as if the relationship of fellow servant had not existed between  
25 the party so injured or killed and the party so causing his injury or death;  
26 and no rule, regulation or contract between such corporation and any  
27 servant, employe or agent thereof shall impair or diminish such liability  
28 of such corporation.

§ 2. Whereas an emergency exists, therefore this act shall take effect and  
2 be in force from and after its passage.

1. Introduced by Mr. Kerrick February 17, 1891, and ordered to first reading.
2. First reading February 17, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments April 16, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making an appropriation to the Illinois Soldiers' Orphans' Home.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That the following sums be and are hereby appropriated to the Illinois Soldiers' Orphans' Home at Normal, Illinois, for the purposes named:

For an electric light plant, \$4,000.

For school desks, \$750.

For root cellar, propagating and green-house, \$2,250.

For painting old buildings and all outside and ungrained inside wood work on new building, and varnishing graining, \$3,000.

For paving area and building sidewalk, \$1,000.

§ 2. The moneys herein appropriated shall be due and payable to the trustees or their order on the terms and in the manner now provided by law.

**PROPOSED AMENDMENTS TO SENATE BILL No. 153 BY THE COM-  
MITTEE ON APPROPRIATIONS.**

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**Amendment 1**—Amend section 1 by adding the following: “and no other”  
in line 4, after the word “named.”

**Amendment 2**—Amend section 1 by striking out in line 9 the figures  
“\$3,000” and insert the figures “\$2,000” in lieu thereof.

**AMENDMENTS TO SENATE BILL No. 153 IN HOUSE.**

Adopted by the House of Representatives May 28, 1891, ordered printed and engrossed May 28, 1891.

1. Amend section 1 by striking out all of line 6 of the printed bill.
2. Amend section 1 by striking out all of line 7 of the printed bill after the word "cellar," and insert the words "eight hundred dollars (\$800)" therefor.
3. Amend section 1 by striking out in line 9 of the printed bill the figures "three thousand dollars" and insert the words "fifteen hundred dollars (\$1,500)" therefor.
4. Amend section 1 by striking out in line 10 of the printed bill the figures "one thousand dollars," and insert "five hundred dollars (\$500)" therefor.





1. Introduced by Mr. Secrest, February 17, 1891, and ordered to first reading.
2. First reading February 17, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back April 30, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to provide for drainage for agricultural and sanitary purposes and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885.

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**Section 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That an act to amend an act entitled "An act to provide for drainage for agricultural and sanitary purposes and to repeal certain acts therein named," approved June 27, 1885, and in force July 1, 1885, be and the same is hereby amended by adding thereto after section four two sections numbered 4½ and 4¾, which shall read as follows:

Section 4½. That whenever the owner of any land adjoining a highway or railroad in this State is desirous of draining the same either by tiling or by open drains and shall have begun said work, and it be necessary for an outlet to said drains to go across or along the sides of said highway or railroad, it shall be the duty of the highway commissioners or the railroad company across or along where right of way the outlet of said drain is to be dug, on being given fifteen days' notice in writing by the owner of said adjoining land of the kind of drain and the size thereof required to carry the water, to put in said tile or dig said open drain of the size specified in said notice in order to make an outlet for said water.

Section 43. And should said commissioners of highways or said railroad  
2 company fail or neglect to put in said tile or dig said drain as specified in  
3 said notice within a reasonable time thereafter, then the owner of said land  
4 may enter upon said highway or said railroad and put in said tile or dig  
5 said open drain, doing no unnecessary damage in so doing, and shall re-  
6 cover from said commissioners or said railroad company the actual cost  
7 thereof and reasonable attorney fees, to be entered as part of the judgment.  
8 in an action of debt in any court having jurisdiction of the amount, and  
9 should said commissioners or said railroad company resist the entry of said  
10 owner on said highway or the right of way, to dig said tile or open drain  
11 and complete the same for the outlet of the water, then said owner may  
12 maintain an action against said commissioners or said railroad company for  
13 each and every refusal, and recover damages and reasonable attorney fees  
14 therefor in any court having jurisdiction of the amount,

1. Introduced by Mr. Secrest February 17, 1891, and ordered to first reading.
2. First reading February 17, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments March 19, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following named sums, or so much thereof  
3 as may be necessary, respectively, for the purposes hereinafter named, be  
4 and are hereby appropriated to meet the ordinary and contingent expenses  
5 of the State government until the expiration of the first fiscal quarter after  
6 the adjournment of the next regular session of the General Assembly:

7 First A sum not exceeding two thousand dollars (\$2,000) per annum shall  
8 be subject to the order of the Governor for defraying such public expenses  
9 of the State government as are unforeseen by the General Assembly, and not  
10 otherwise provided for by law; payment to be made from time to time upon  
11 bills of particulars, certified to by the Governor.

12 Second The sum of six thousand dollars (\$6,000) per annum, for private  
13 secretary to the Governor, for the performance of such official duties of the  
14 Governor as may be required of him, and for executive clerk, pardon clerk and  
15 stenographer in the executive office, payable monthly, as hereinafter provided.

16 Third—A sum not to exceed one thousand dollars (\$1,000) per annum, for  
 17 postage, expressage, telegraphing, furniture furnishing and other incidental  
 18 expenses connected with the Governor's office, to be paid on bills of partic-  
 19 ulars, certified to by the Governor.

20 Fourth—To the Governor, for one porter, the sum of seven hundred dol-  
 21 lars (\$700) per annum, payable monthly.

22 Fifth—To the Governor, for repairs and care of executive mansion and  
 23 grounds, and for heating and lighting the executive mansion, three thousand  
 24 dollars (\$3,000) per annum, to be paid on bills of particulars, certified to by  
 25 the Governor.

26 Sixth—To the Secretary of State, for clerk hire in his office, the sum of  
 27 twelve thousand dollars (\$12,000) per annum; for two porters or messengers,  
 28 the sum of seven hundred dollars (\$700) each per annum; for stenographer  
 29 and typewriter, the sum of one thousand dollars (\$1,000) per annum; and for  
 30 laborers, janitors, policemen and watchmen of the State House, who shall  
 31 perform such duties as shall be assigned to them by the Secretary of State,  
 32 the sum of six thousand dollars (\$6,000) per annum, all payable upon monthly  
 33 pay rolls, duly certified to by the Secretary of State. To the Secretary of  
 34 State, for repairs, postage, expressage, telegraphing and other incidental  
 35 expenses of his office, a sum not exceeding three thousand dollars (\$3,000)  
 36 per annum, and for the payment of all necessary incidental expenses incurred  
 37 by the Secretary of State, in the care and custody of the State House and  
 38 grounds, and other State property, and in repairs and improvements of the  
 39 same, and for the performance of such other duties as may be imposed upon  
 40 him by law, and for which no other appropriation has been made, the  
 41 sum of twelve thousand five hundred dollars (\$12,500) per annum; all payable  
 42 upon the bills of particulars certified to by the Secretary of State, and approved  
 43 by the Governor. For comparing copy for the public printer of the laws and joint  
 44 resolutions, editing the same, preparing head notes thereto and for indexing the  
 45 volume of laws, and making a table of contents when printed; for comparing the

copy for the printer for the printed volumes of the journals of the Senate and House, making indexes thereto when printed, and for superintending the printing thereof; for preparing a table of contents to the volumes of reports, and for making and keeping proper indexes to the executive records, and all public files and documents in the office of the Secretary of State, as required by law, the sum of three thousand dollars (\$3,000) per annum, and for the care of the State document library, the sum of five hundred dollars (\$500) per annum, payable to the Secretary of State on his order.

Seventh For heating, fuel and pay of engineers and firemen of the State House and other incidental expenses thereof, the sum of fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be needed, to be paid upon bills of particulars certified to by the Secretary of State and approved by the Governor.

Eighth For lighting the State House and other incidental expenses thereof, the sum of four thousand dollars (\$4,000) per annum, or so much thereof as may be necessary, to be paid on bills of particulars, certified to by the Secretary of State, and approved by the Governor.

Ninth To the Secretary of State, for the purchase of books and for the incidental expenses of the State library, the sum of fifteen hundred dollars (\$1,500) per annum, payable on bills of particulars, certified to by the Board of Commissioners of the State Library. For salary of assistant librarian, the sum of one thousand dollars (\$1,000) per annum, payable monthly. The sum of five hundred dollars (\$500) for the purpose of compiling and publishing a catalogue and finding list for the State Library, said sum to be expended under the direction and control of the Secretary of State, and certified to by the Board of Commissioners of the State Library.

Tenth For the purchase on contract as required by law and other necessary expenses connected therewith, of printing paper and stationery, for the use of the General Assembly and the executive department, the sum of thirteen thousand dollars (\$13,000) per annum, payable on bills of particu-

76 lars certified to by the Board of Commissioners of State Contracts, and ap-  
77 proved by the Governor.

78 Eleventh—For public printing the sum of thirty thousand dollars (\$30,000),  
79 or so much thereof as may be required. For public binding, ten thousand  
80 dollars (\$10,000) per annum, or so much thereof as may be required. The  
81 public printing and binding to be paid for according to contract, upon the  
82 certificate of the Board of Commissioners of State Contracts, and approved  
83 by the Governor.

84 Twelfth—For copying the laws, journals and joint resolutions of the  
85 General Assembly, as provided by law, six hundred dollars (\$600). For  
86 distribution of laws, journals, and other State documents, and incidental  
87 expenses connected therewith, the sum of five hundred dollars (\$500), and  
88 for expressage and postage on same, twelve hundred dollars (\$1,200), per  
89 annum, payable as provided by law.

90 Thirteenth—Such sum as may be necessary to enable the Secretary of  
91 State to purchase such volumes of the reports of the decisions of the  
92 Supreme court as he is, or may be, required by law to purchase, to be paid  
93 on bills of particulars, certified to by the Secretary of State and approved  
94 by the Governor.

95 Fourteenth—To the Auditor of Public Accounts, for necessary clerk hire  
96 the sum of seven thousand five hundred dollars (\$7,500) per annum; for  
97 stenographer and typewriter the sum of one thousand dollars (\$1,000) per  
98 annum; and for two porters or messengers, the sum of seven hundred dol-  
99 lars (\$700) each per annum, all payable upon monthly pay rolls duly certi-  
100 fied to by the Auditor of Public Accounts. To the Auditor of Public Ac-  
101 counts, for repairs, postage, express charges, telegraphing and other inci-  
102 dental expenses incurred in the discharge of his duties, a sum not exceed-  
103 ing one thousand five hundred dollars (\$1,500) per annum, payable upon  
104 bills of particulars certified to by the Auditor, and approved by the Governor:  
105 *Provided*, that no part of the amount hereby appropriated shall be used to pay

106 the expenses of the insurance department of said office of Auditor of Public  
107 Accounts, and he shall report the annual expenses of said insurance depart-  
108 ment to each General Assembly hereafter.

109 Fifteenth A sum not exceeding two thousand dollars (\$2,000) per annum,  
110 for costs and expenses of State suits, to be paid upon bills of particulars,  
111 certified to by the Auditor, and approved by the Governor.

112 Sixteenth A sum not exceeding twenty thousand dollars (\$20,000) per  
113 annum, or so much thereof as may be necessary, for conveying convicts to  
114 the penitentiary, and from and to the penitentiary, in cases of new trial,  
115 or when used as witnesses in criminal trials, to be paid on the warden's  
116 certificate, at the compensation fixed by the general laws, the Auditor to  
117 compute the distance by the nearest railroad route.

118 Seventeenth For the payment of the expenses provided for by law for  
119 the apprehension and delivery of fugitives from justice fifteen thousand  
120 dollars (\$15,000) per annum, or so much thereof as may be necessary, to  
121 be paid on the evidence required by law, certified and approved by the  
122 Governor, and the sum of three thousand dollars (\$3,000) for rewards for  
123 arrest of fugitives from justice, to be paid upon bills of particulars having  
124 the order of the Governor endorsed thereon.

125 Eighteenth The sum of five thousand dollars (\$5,000) per annum, or so  
126 much thereof as may be needed, for conveying juvenile offenders to the  
127 reform school, at Pontiac, payable on the superintendent's certificate of  
128 delivery, at the rate of compensation allowed by law; the Auditor to com-  
129 pute the distance by the nearest railroad route.

130 Nineteenth To the State Board of Equalization, for paying expenses, a  
131 sum not to exceed ten thousand dollars (\$10,000) per annum, payable in the  
132 manner provided by law.

133 Twentieth To the State Treasurer, for clerk hire, the sum of four thou-  
134 sand dollars (\$4,000) per annum; for stenographer and typewriter, the sum of  
135 seven hundred and fifty dollars (\$750) per annum; the sum of three thousand

136 two hundred dollars (\$200) per annum, for two night and two day watchmen;  
 137 and the sum of eight hundred dollars (\$800) per annum for messenger  
 138 and clerk; all payable upon monthly pay rolls, duly certified to by the  
 139 Treasurer. To the State Treasurer, for repairs, express charges, postage,  
 140 telegraphing and other necessary incidental expenses connected with his  
 141 office, a sum not to exceed one thousand dollars (\$1,000) per annum, payable  
 142 upon bills of particulars, certified to by him, and approved by the Governor.  
 143 Twenty-first--Such sums as may be necessary to refund the taxes on  
 144 real estate sold or paid in error, and for over-payment of collector's  
 145 accounts under laws governing such cases, to be paid out of the proper  
 146 funds.

147 Twenty-second To the Superintendent of Public Instruction, the sum of  
 148 three thousand one hundred dollars (\$3,100) per annum, for clerk hire; and  
 149 for a janitor, porter and messenger services, and also additional clerical  
 150 services the sum of seven hundred dollars (\$700) per annum; all payable  
 151 upon monthly pay rolls, duly certified to by the Superintendent of Public  
 152 Instruction. To the Superintendent of Public Instruction, for postage and  
 153 State examinations and other necessary expenses of said office, a sum not  
 154 exceeding fifteen hundred dollars (\$1,500) per annum, and for refurnishing  
 155 office and for increase of professional library, five hundred dollars (\$500),  
 156 payable on bills of particulars, certified to by him, and approved by the Gover-  
 157 nor. Appropriations made by this clause to be paid out of the State school fund.  
 158 Twenty-third--The sum of fifty-seven thousand dollars (\$57,000) per  
 159 annum, or so much thereof as may be necessary, to pay the interest on  
 160 school fund, distributed annually in pursuance of law, said amount to be  
 161 payable from the State school fund.

162 Twenty-fourth The sum of one million dollars (\$1,000,000) annually, out  
 163 of the State school fund, to pay the amount of the Auditor's orders for the  
 164 distribution of said fund to the several counties, and for the payment of  
 165 the salaries and expenses of county superintendents of schools, as now



166 provided by law. The Auditor shall issue his warrants to the State  
 167 Treasurer, on the proper evidence that the amount distributed has been  
 168 paid to the county school superintendents.

169 Twenty-fifth To the Attorney General, for an assistant, the sum of two  
 170 thousand five hundred dollars (\$2,500) per annum; for clerk hire, the sum of  
 171 eighteen hundred dollars (\$1,800) per annum; and for stenographer, who shall  
 172 also act as clerk, the sum of fourteen hundred dollars (\$1,400) per annum;  
 173 and for a porter and messenger, who shall also act as porter and  
 174 messenger for the reporter of the Supreme Court, the sum of  
 175 seven hundred dollars (\$700) per annum, payable monthly, upon pay rolls  
 176 duly certified to by the Attorney General. To the Attorney General, for  
 177 telegraphing, postage and other necessary expenses incurred in the dis-  
 178 charge of his duties, including furniture for and repairs to office, a sum  
 179 not to exceed two thousand dollars (\$2,000) per annum, payable on bills of  
 180 particulars certified to by him, and approved by the Governor.

181 Twenty-sixth To the Adjutant General, for clerk hire in his office, the  
 182 sum of three thousand two hundred dollars (\$3,200) per annum: *Provided,*  
 183 that in the employment of clerks and assistants in the Adjutant General's  
 184 office preference shall be given to Union soldiers, their widows and orphans;  
 185 also the sum of eight hundred dollars (\$800) per annum for postage, tele-  
 186 graphing, repairs and other necessary incidental expenses connected with  
 187 the Memorial Hall and his office; for an assistant, and an ordnance  
 188 sergeant employed in the issue, receipt and care of public property at the  
 189 State Arsenal and camp ground, and the custodian of flags and trophies in  
 190 Memorial Hall, and for typewriter, janitor and messenger service the sum  
 191 of three thousand dollars (\$3,000) per annum, payable upon monthly pay  
 192 rolls, or bills of particulars, duly certified to by the Adjutant General and  
 193 approved by the Governor.

194 Twenty-seventh To the Board of Public Charities, for salary of secretary  
 195 a sum not to exceed three thousand dollars (\$3,000) per annum; for clerk

196 hire and necessary incidental expenses of the board a sum not to exceed  
197 five thousand five hundred dollars (\$5,500) per annum; and for office furniture  
198 the sum of five hundred dollars (\$500), payable on bills of particulars  
199 certified to by a majority of said board, and approved by the Governor.

200 Twenty-eighth There is hereby appropriated to defray the incidental and  
201 contingent expenses of the Supreme Court, to-wit: For stationery, repairs,  
202 furniture, expressage, printing and law books, to be purchased under the  
203 direction of the court, and other expenses deemed necessary by the court,  
204 the following sums: To the Northern Grand Division, the sum of seventeen  
205 hundred and fifty dollars (\$1,750) per annum; and in addition there is also appro-  
206 priated to the Northern Grand Division the sum of one thousand dollars  
207 (\$1,000) for the purchase of law books, and for re-binding law books on  
208 hand. To the Central Grand Division, the sum of seventeen hundred and  
209 fifty dollars (\$1,750) per annum; to the Southern Grand Division, the sum  
210 of seventeen hundred and fifty dollars (\$1,750) per annum;  
211 there is also appropriated to the Southern Grand Division the  
212 sum of two thousand dollars (\$2,000) for re-furnishing the court  
213 rooms at Mt. Vernon with furniture, carpets, wall-papering and  
214 general repairs--all payable upon bills of particulars certified to by at  
215 least two of the justices of said court. There is also appropriated for the  
216 pay of the librarians of the several grand divisions of said court, who shall  
217 also act as librarians for the Appellate Courts, when in session in their  
218 respective grand divisions, the following sums: To the Northern and  
219 Southern Grand Divisions, each, the sum of five hundred dollars (\$500) per  
220 annum; and to the Central Grand Division, the sum of one thousand  
221 dollars (\$1,000) per annum, payable upon the certificate of at least two  
222 judges of said court. There is also appropriated the sum of four hundred  
223 dollars (\$400) per annum, each, to the Northern, Southern and Central  
224 Grand Divisions of said court for the pay of janitors, to perform such duties  
225 as shall be determined by said court, and to be paid upon the order of at

226 least two of the judges. There is, also, hereby appropriated, to defray the  
 227 incidental and contingent expenses of the Appellate Courts of this State,  
 228 to-wit: To the first district, for rent of court rooms, including fuel and light,  
 229 the sum of five thousand dollars (\$5,000) per annum; for stationery, postage  
 230 expressage, repairs, furniture, and other expenses deemed necessary by said  
 231 court, the sum of two thousand dollars (\$2,000) per annum; and for the  
 232 salary of the librarian of said court the sum of five hundred dollars (\$500) per  
 233 annum, payable monthly; to the second district, the third district, and the  
 234 fourth district, each, the sum of one thousand dollars (\$1,000) per annum, for  
 235 stationery, fuel, lights, postage, expressage, repairs, furniture and other  
 236 expenses deemed necessary by the respective courts; these sums to be paid  
 237 upon bills of particulars, certified to by the clerks of the respective courts,  
 238 upon the order of at least two of the judges of the respective court for  
 239 which the expense was incurred. Also the sum of four hundred dollars  
 240 (\$400) per annum, each, to the second, third and fourth districts, for the pay  
 241 of janitors, to perform such duties as shall be determined by the judges of  
 242 the respective courts, to be paid upon the order of at least two of the  
 243 judges in each district.

244 Twenty-ninth To the Commission of Claims for the payment of salaries of  
 245 bailiff, assistant clerk, necessary record books, files, stationery, postage, expres-  
 246 sage and other incidental expenses, the sum of fifteen hundred dollars (\$1,500)  
 247 per annum. All accounts to be certified by the president of the Commis-  
 248 sion as provided by law.

249 Thirtieth For the salary of a curator of the Illinois State Museum of Nat-  
 250 ural History, the sum of two thousand five hundred dollars (\$2,500) per annum;  
 for 251 the salary of one assistant, the sum of one thousand dollars (\$1,000) per  
 252 annum; and for the salary of one janitor, nine hundred dollars (\$900) per  
 253 annum, payable monthly, as provided by law. For the contingent and  
 254 necessary expenses of the curator, including traveling expenses on business  
 255 connected with his office, the sum of one thousand dollars (\$1,000) per an-

256 num, payable on bills of particulars, duly certified to by the curator and  
257 approved by the Governor.

258     Thirty-first—To the Railroad and Warehouse Commissioners, for the in-  
259 cidental expenses of their office, including care, stationery, postage and  
260 telegraphing, extra clerk hire, and for the secretary's salary, and for all  
261 necessary expenditures, except those hereinafter provided for, a sum not  
262 to exceed four thousand dollars (\$4,000) per annum. For any expenses in-  
263 curred in suits or investigations commenced by authority of the State  
264 under any law now in force, or hereafter to be enacted, empowering or in-  
265 trusting the Board of Commissioners, including the fees of experts em-  
266 ployed, and clerical help, the sum of five thousand dollars (\$5,000) per  
267 annum, or such part thereof as may be needed for such purposes. For the  
268 printing and publication of schedules of reasonable maximum rates of  
269 charges for the transportation of passengers and freights and cars, made  
270 or revised for any or all of the railroads of the State, as provided by  
271 law, the sum of three thousand dollars (\$3,000), or so much thereof as may  
272 be needed for such purpose. For the printing and publication of railroad  
273 maps of Illinois to be bound with annual reports, and for distribution of  
274 the same, the sum of twelve hundred (\$1,200) per annum. For the purpose  
275 of fitting up their office with fire-proof iron boxes and book racks, the sum  
276 of eight hundred dollars (\$800) or so much thereof as may be necessary.  
277 For the salary of a civil engineer to be employed by the Commission in  
278 their discretion, the sum of \$3,000 per annum, which said civil engineer  
279 when so employed shall do such engineering work, and make such inspec-  
280 tions and reports, as the said Commission may direct, for which he shall  
281 receive compensation to be fixed by the Commission, not exceeding the  
282 said sum of \$3,000 per annum, to be paid upon bills of particulars cer-  
283 tified to by the Railroad and Warehouse Commission and approved by the  
284 Governor.

285     Thirty-second—The sum of three hundred and fifty dollars (\$350) per

286 annum for the purchase of books for the library of the Southern Illinois  
 287 penitentiary at Chester, to be paid upon bills of particulars having the  
 288 order of the Governor endorsed thereon.

289 Thirty-third The sum of five hundred dollars (\$500) per an-  
 290 num for the purchase and binding of books for the library of the Illi-  
 291 nois State penitentiary at Joliet, to be paid upon bills of particulars having  
 292 the order of the Governor endorsed thereon.

293 Thirty-fourth To the Commissioners of Labor Statistics, for the purpose  
 294 of procuring, tabulating and publishing industrial statistics as contem-  
 295 plated by law; for clerical services, the employment of canvassers and the  
 296 incidental and office expenses of the board, for defraying the expenses of  
 297 the home inspection service, and for the per diem and traveling expenses  
 298 of the commissioners, the sum of six thousand dollars (\$6,000) per annum,  
 299 or so much thereof as may be necessary; also the sum of three hundred  
 300 dollars (\$300) to defray the expenses of the biennial examination for mine  
 301 inspectors, and for the purchase of instruments for the use of mine in-  
 302 spectors; and the sum of twenty-five hundred dollars (\$2,500) per annum  
 303 for the salary of the secretary of the board.

304 Thirty-fifth For paying damages for animals, diseased or exposed to con-  
 305 tamin, slaughtered, for property necessarily destroyed, and for expenses  
 306 of disinfection of premises, when such disinfection is practicable under the  
 307 provisions of any law of this State for the suppression and prevention of  
 308 the spread of contagious and infectious diseases among domestic animals,  
 309 the sum of twenty-five thousand dollars (\$25,000) per annum, or so much thereof  
 310 as may be necessary; and in addition to said sum of \$25,000, any sums of  
 311 money that may be received by the Board of Live Stock Commissioners as  
 312 the net proceeds of the sales of the healthy carcasses of animals slaughtered  
 313 under the provisions of law, and paid by them into the State treasury, to  
 314 be paid only in the manner and on the conditions provided in said law.  
 315 Also to the Board of Live Stock Commissioners the sum of ten thousand

316 dollars (\$10,000) per annum, or so much thereof as may be necessary, for  
 317 the payment of the necessary expenses incurred in the discharge of their  
 318 duties as prescribed by law, including the per diem and traveling expenses  
 319 of the members of the board, the State veterinarian, and assistant State  
 320 veterinarians, and salary of secretary.

321 Thirty-sixth The sum of seven thousand five hundred dollars (\$7,500) per  
 322 annum, or so much of it as may be necessary, to the Fish Commissioners  
 323 of the State, to be used by them in pursuance of law. The sum of five  
 324 thousand dollars (\$5,000) per annum, or so much thereof as may be neces-  
 325 sary, for the personal and traveling expenses of the Fish Commissioners,  
 326 and for the service and expense of such persons as may be employed by  
 327 them, including fish wardens while performing services for the State; no fees  
 328 are allowed, in enforcing the laws relative to fishways over dams, and for  
 329 the protection of fish. All expenditures to be upon bills of particulars,  
 330 certified to by a majority of the commissioners and approved by the Gov-  
 331 ernor.

332 Thirty-seventh To the State Board of Health, for salary of secretary,  
 333 three thousand dollars (\$3,000) per annum; for necessary office expenses,  
 334 including expenses incurred in attending meetings of the board, and in  
 335 making sanitary inspections, and for services of janitor the sum of two  
 336 thousand dollars (\$2,000) per annum; for salary of assistant secretary and  
 337 additional clerk hire four thousand dollars (\$4,000) per annum. Also the  
 338 sum of ten thousand dollars (\$10,000), as a contingent fund, to be used only  
 339 with the consent and concurrence of the Governor, upon the recommenda-  
 340 tion and advice of the board, in case of the outbreak or threatened out-  
 341 break of any epidemic or malignant disease such as Asiatic cholera, small-  
 342 pox, yellow fever, or to defray the expense of preventing the introduction  
 343 of such diseases, or their spread from place to place within the State, and  
 344 in suppressing outbreaks which may occur, and in investigating their  
 345 causes and methods of prevention, also, special investigations, when re-

quired by the sanitary necessities of the State; and any necessary expenditures from this sum shall be paid on the order of the president of the board, attested by the secretary and approved by the Governor.

Thirty-eighth -To the Lieutenant Governor, for postage, telegraphing, stationery, and other incidental expenses, the sum of fifty dollars (\$50) per annum, payable upon his order.

Thirty-ninth -The sum of one thousand dollars (\$1,000), or so much as may be necessary, to pay the expenses of committees of the Thirty-eighth General Assembly; such expenses to be certified as may be provided by resolution of either house.

Fortieth -To the trustees of the Lincoln Homestead, for the salary of a custodian, the sum of one thousand dollars (\$1,000) per annum, and for repairs and improvements, the sum of one hundred and fifty dollars (\$150) per annum; to be expended by said trustees as provided in the act of 1887 entitled "The Lincoln Homestead."

Forty-first -To the Illinois State Historical Library, for the continuation, care and maintenance thereof, the sum of two thousand five hundred dollars per annum, of which sum six hundred dollars per annum shall be paid as a salary to the librarian; to be expended under the provisions and in the manner specified in the act of 1889 establishing said library.

2. The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for the sums herein specified, upon the presentation of proper vouchers; and all sums herein appropriated for the pay of clerks, secretaries, porters, messengers, janitors, watchmen, policemen, laborers, engineers, firemen, stenographers, curators and librarians shall, when not otherwise provided by law, be paid upon monthly pay rolls, duly certified to, respectively, by the heads of departments,

9   bureaus or boards of commissioners and trustees requiring the services of  
10 such employees; and the State Treasurer shall pay the same out of the  
11 proper funds in the treasury, not otherwise appropriated. Said warrants  
12 shall be drawn in favor of and payable to the order of the persons entitled  
13 thereto.



1. Introduced by Mr. Secrest February 17, 1891, and ordered to first reading.
2. First reading February 17, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments March 19, 1891, passage recommended and ordered to second reading.
4. Second reading April 9, 1891, amended, and ordered to third reading.

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## A BILL

For an act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the following named sums, or so much thereof  
3 as may be necessary, respectively, for the purposes hereinafter named, be  
4 and are hereby appropriated to meet the ordinary and contingent expenses  
5 of the State government until the expiration of the first fiscal quarter after  
6 the adjournment of the next regular session of the General Assembly:

7 First A sum not exceeding two thousand dollars (\$2,000) per annum shall  
8 be subject to the order of the Governor for defraying such public expenses  
9 of the State government as are unforeseen by the General Assembly, and not  
10 otherwise provided for by law; payment to be made from time to time upon  
11 bills of particulars, certified to by the Governor.

12 Second:—The sum of six thousand dollars (\$6,000) per annum, for private  
13 secretary to the Governor, for the performance of such official duties of the  
14 Governor as may be required of him, and for executive clerk, pardon clerk and  
15 stenographer in the executive office, payable monthly, as hereinafter provided.

16     **Third**—A sum not to exceed one thousand dollars (\$1,000) per annum, for  
 17 postage, expressage, telegraphing, furniture furnishing and other incidental  
 18 expenses connected with the Governor's office, to be paid on bills of partic-  
 19 ulars, certified to by the Governor.

20     **Fourth**—To the Governor, for one porter, the sum of seven hundred dol-  
 21 lars (\$700) per annum, payable monthly.

22     **Fifth**—To the Governor, for repairs and care of executive mansion and  
 23 grounds, and for heating and lighting the executive mansion, three thousand  
 24 dollars (\$3,000) per annum, to be paid on bills of particulars, certified to by  
 25 the Governor.

26     **Sixth**—To the Secretary of State, for clerk hire in his office, the sum of  
 27 twelve thousand dollars (\$12,000) per annum; for two porters or messengers,  
 28 the sum of seven hundred dollars (\$700) each per annum; for stenographer  
 29 and typewriter, the sum of one thousand dollars (\$1,000) per annum; and for  
 30 laborers, janitors, policemen and watchmen of the State House, who shall  
 31 perform such duties as shall be assigned to them by the Secretary of State,  
 32 the sum of six thousand dollars (\$6,000) per annum, all payable upon monthly  
 33 pay rolls, duly certified to by the Secretary of State. To the Secretary of  
 34 State, for repairs, postage, expressage, telegraphing and other incidental  
 35 expenses of his office, a sum not exceeding three thousand dollars (\$3,000)  
 36 per annum, and for the payment of all necessary incidental expenses incurred  
 37 by the Secretary of State, in the care and custody of the State House and  
 38 grounds, and other State property, and in repairs and improvements of the  
 39 same, and for the performance of such other duties as may be imposed upon  
 40 him by law, and for which no other appropriation has been made, the  
 41 sum of twelve thousand five hundred dollars (\$12,500) per annum; all payable  
 42 upon the bills of particulars certified to by the Secretary of State, and approved  
 43 by the Governor. For comparing copy for the public printer of the laws and joint  
 44 resolutions, editing the same, preparing head notes thereunto and for indexing the

45 volume of laws, and making a table of contents when printed; for comparing the  
 46 copy for the printer for the printed volumes of the journals of the Senate and  
 47 House, making indexes thereto when printed, and for superintending the  
 48 printing thereof; for preparing a table of contents to the volumes of reports,  
 49 and for making and keeping proper indexes to the executive records, and all  
 50 public files and documents in the office of the Secretary of State, as re-  
 51 quired by law, the sum of three thousand dollars (\$3,000) per annum, and  
 52 for the care of the State document library, the sum of five hundred dol-  
 53 lars (\$500) per annum, payable to the Secretary of State on his order.

54 Seventh For heating, fuel and pay of engineers and firemen of the State  
 55 House and other incidental expenses thereof, the sum of fifteen thousand  
 56 dollars (\$15,000) per annum, or so much thereof as may be needed, to be  
 57 paid upon bills of particulars certified to by the Secretary of State and ap-  
 58 proved by the Governor.

59 Eighth For lighting the State House and other incidental expenses  
 60 thereof, the sum of four thousand dollars (\$4,000) per annum, or so much  
 61 thereof as may be necessary, to be paid on bills of particulars, certified to  
 62 by the Secretary of State, and approved by the Governor.

63 Ninth To the Secretary of State, for the purchase of books and for the  
 64 incidental expenses of the State library, the sum of fifteen hundred dollars  
 65 (\$1,500) per annum, payable on bills of particulars, certified to by the Board  
 66 of Commissioners of the State Library. For salary of assistant librarian,  
 67 the sum of one thousand dollars (\$1,000) per annum, payable monthly. The  
 68 sum of five hundred dollars (\$500) for the purpose of compiling and publish-  
 69 ing a catalogue and finding list for the State Library, said sum to be ex-  
 70 pended under the direction and control of the Secretary of State, and cer-  
 71 tified to by the Board of Commissioners of the State Library.

72 Tenth For the purchase on contract as required by law and other neces-  
 73 sary expenses connected therewith, of printing paper and stationery, for

74 the use of the General Assembly and the executive department, the sum of  
 75 thirteen thousand dollars (\$13,000) per annum, payable on bills of particu-  
 76 lars certified to by the Board of Commissioners of State Contracts, and ap-  
 77 proved by the Governor.

78 Eleventh--For public printing the sum of thirty thousand dollars (\$30,000),  
 79 or so much thereof as may be required. For public binding, ten thousand  
 80 dollars (\$10,000) per annum, or so much thereof as may be required. The  
 81 public printing and binding to be paid for according to contract, upon the  
 82 certificate of the Board of Commissioners of State Contracts, and approved  
 83 by the Governor.

84 Twelfth--For copying the laws, journals and joint resolutions of the  
 85 General Assembly, as provided by law, six hundred dollars (\$600). For  
 86 distribution of laws, journals, and other State documents, and incidental  
 87 expenses connected therewith, the sum of five hundred dollars (\$500), and  
 88 for expressage and postage on same, twelve hundred dollars (\$1,200), per  
 89 annum, payable as provided by law.

90 Thirteenth--Such sum as may be necessary to enable the Secretary of  
 91 State to purchase such volumes of the reports of the decisions of the  
 92 Supreme court as he is, or may be, required by law to purchase, to be paid  
 93 on bills of particulars, certified to by the Secretary of State and approved  
 94 by the Governor.

95 Fourteenth--To the Auditor of Public Accounts, for necessary clerk hire  
 96 the sum of seven thousand five hundred dollars (\$7,500) per annum; for  
 97 stenographer and typewriter the sum of one thousand dollars (\$1,000) per  
 98 annum; and for two porters or messengers, the sum of seven hundred dol-  
 99 lars (\$700) each per annum, all payable upon monthly pay rolls duly certi-  
 100 fied to by the Auditor of Public Accounts. To the Auditor of Public Ac-  
 101 counts, for repairs, postage, express charges, telegraphing and other inci-  
 102 dental expenses incurred in the discharge of his duties, a sum not exceed-

ing one thousand five hundred dollars (\$1,500) per annum, payable upon bills of particulars certified to by the Auditor, and approved by the Governor: *Provided*, that no part of the amount hereby appropriated shall be used to pay the expenses of the insurance department of said office of Auditor of Public Accounts, and he shall report the annual expenses of said insurance department to each General Assembly hereafter.

**Fifteenth**—A sum not exceeding two thousand dollars (\$2,000) per annum, for costs and expenses of State suits, to be paid upon bills of particulars certified to by the Auditor, and approved by the Governor.

**Sixteenth**—A sum not exceeding twenty thousand dollars (\$20,000) per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary, and from and to the penitentiary, in cases of new trial, or when used as witnesses in criminal trials, to be paid on the warden's certificate, at the compensation fixed by the general laws, the Auditor to compute the distance by the nearest railroad route.

**Seventeenth**—For the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, fifteen thousand dollars (\$15,000) per annum, or so much thereof as may be necessary, to be paid on the evidence required by law, certified and approved by the Governor, and the sum of three thousand dollars (\$3,000) for rewards for arrest of fugitives from justice, to be paid upon bills of particulars having the order of the Governor endorsed thereon.

**Eighteenth**—The sum of five thousand dollars (\$5,000) per annum, or so much thereof as may be needed, for conveying juvenile offenders to the reform school, at Pontiac, payable on the superintendent's certificate of delivery, at the rate of compensation allowed by law; the Auditor to compute the distance by the nearest railroad route.

**Nineteenth**—To the State Board of Equalization, for paying expenses, a sum not to exceed ten thousand dollars (\$10,000) per annum, payable in the

182 manner provided by law.

183     Twentieth -To the State Treasurer, for clerk hire, the sum of four thou-  
 184 sand dollars (\$4,000) per annum; for stenographer and typewriter, the sum of  
 185 seven hundred and fifty dollars (\$750) per annum; the sum of three thousand  
 186 two hundred dollars (\$3,200) per annum, for two night and two day watchmen;  
 187 and the sum of eight hundred dollars (\$800) per annum for messenger  
 188 and clerk; all payable upon monthly pay rolls, duly certified to by the  
 189 Treasurer. To the State Treasurer, for repairs, express charges, postage,  
 190 telegraphing and other necessary incidental expenses connected with his  
 191 office, a sum not to exceed one thousand dollars (\$1,000) per annum, payable  
 192 upon bills of particulars, certified to by him, and approved by the Governor.

193     Twenty-first Such sums as may be necessary to refund the taxes on  
 194 real estate sold or paid in error, and for over-payment of collector's  
 195 accounts under laws governing such cases, to be paid out of the proper  
 196 funds.

197     Twenty-second To the Superintendent of Public Instruction, the sum of  
 198 three thousand one hundred dollars (\$3,100) per annum, for clerk hire; and  
 199 for a janitor, porter and messenger services, and also additional clerical  
 200 services the sum of seven hundred dollars (\$700) per annum; all payable  
 201 upon monthly pay rolls, duly certified to by the Superintendent of Public  
 202 Instruction. To the Superintendent of Public Instruction, for postage and  
 203 State examinations and other necessary expenses of said office, a sum not  
 204 exceeding fifteen hundred dollars (\$1,500) per annum, and for refurnishing  
 205 office and for increase of professional library, five hundred dollars (\$500),  
 206 payable on bills of particulars, certified to by him, and approved by the Gover-  
 207 nor. Appropriations made by this clause to be paid out of the State school fund.

208     Twenty-third The sum of fifty-seven thousand dollars (\$57,000) per  
 209 annum, or so much thereof as may be necessary, to pay the interest on  
 210 school fund, distributed annually in pursuance of law, said amount to be

161 payable from the State school fund.

162 Twenty-fourth The sum of one million dollars (\$1,000,000) annually, out  
 163 of the State school fund, to pay the amount of the Auditor's orders for the  
 164 distribution of said fund to the several counties, and for the payment of  
 165 the salaries and expenses of county superintendents of schools, as now  
 166 provided by law. The Auditor shall issue his warrants to the State  
 167 Treasurer, on the proper evidence that the amount distributed has been  
 168 paid to the county school superintendents.

169 Twenty-fifth To the Attorney General, for an assistant, the sum of two  
 170 thousand five hundred dollars (\$2,500) per annum; for clerk hire, the sum of  
 171 eighteen hundred dollars (\$1,800) per annum; and for stenographer, who shall  
 172 also act as clerk, the sum of fourteen hundred dollars (\$1,400) per annum;  
 173 and for a porter and messenger, who shall also act as porter and  
 174 messenger for the reporter of the Supreme Court, the sum of  
 175 seven hundred dollars (\$700) per annum, payable monthly, upon pay rolls  
 176 duly certified to by the Attorney General. To the Attorney General, for  
 177 telegraphing, postage and other necessary expenses incurred in the dis-  
 178 charge of his duties, including furniture for and repairs to office, a sum  
 179 not to exceed two thousand dollars (\$2,000) per annum, payable on bills of  
 180 particulars certified to by him, and approved by the Governor.

181 Twenty-sixth To the Adjutant General, for clerk hire in his office, the  
 182 sum of three thousand two hundred dollars (\$3,200) per annum: *Provided,*  
 183 that in the employment of clerks and assistants in the Adjutant General's  
 184 office preference shall be given to Union soldiers, their widows and orphans;  
 185 also the sum of eight hundred dollars (\$800) per annum for postage, tele-  
 186 graphing, repairs and other necessary incidental expenses connected with  
 187 the Memorial Hall and his office; for an assistant, and an ordnance  
 188 sergeant employed in the issue, receipt and care of public property at the  
 189 State Arsenal and camp ground, and the custodian of flags and trophies in

190 Memorial Hall, and for type-writer, janitor and messenger service the sum  
 191 of three thousand dollars (\$3,000) per annum, payable upon monthly pay  
 192 rolls, or bills of particulars, duly certified to by the Adjutant General and  
 193 approved by the Governor.

194 Twenty-seventh- To the Board of Public Charities, for salary of secretary  
 195 a sum not to exceed three thousand dollars (\$3,000) per annum; for clerk  
 196 hire and necessary incidental expenses of the board a sum not to exceed  
 197 five thousand five hundred dollars (\$5,500) per annum; and for office furniture  
 198 the sum of five hundred dollars (\$500), payable on bills of particulars  
 199 certified to by a majority of said board, and approved by the Governor.

200 Twenty-eighth- There is hereby appropriated to defray the incidental and  
 201 contingent expenses of the Supreme Court, to-wit: For stationery, repairs,  
 202 furniture, expressage, printing and law books, to be purchased under the  
 203 direction of the court, and other expenses deemed necessary by the court,  
 204 the following sums: To the Northern Grand Division, the sum of seventeen  
 205 hundred and fifty dollars (\$1,750) per annum; and in addition there is also appro-  
 206 priated to the Northern Grand Division the sum of one thousand dollars  
 207 (\$1,000) for the purchase of law books, and for re-binding law books on  
 208 hand. To the Central Grand Division, the sum of seventeen hundred and  
 209 fifty dollars (\$1,750) per annum; to the Southern Grand Division, the sum  
 210 of seventeen hundred and fifty dollars (\$1,750) per annum;  
 211 there is also appropriated to the Southern Grand Division the  
 212 sum of two thousand dollars (\$2,000) for re-furnishing the court  
 213 rooms at Mt. Vernon with furniture, carpets, wall-papering and  
 214 general repairs all payable upon bills of particulars certified to by at  
 215 least two of the justices of said court. There is also appropriated for the  
 216 pay of the librarians of the several grand divisions of said court, who shall  
 217 also act as librarians for the Appellate Courts, when in session in their  
 218 respective grand divisions, the following sums: To the Northern and



219 Southern Grand Divisions, each, the sum of five hundred dollars (\$500) per  
 220 annum; and to the Central Grand Division, the sum of one thousand  
 221 dollars (\$1,000) per annum, payable upon the certificate of at least two  
 222 judges of said court. There is also appropriated the sum of four hundred  
 223 dollars (\$400) per annum, each, to the Northern, Southern and Central  
 224 Grand Divisions of said court for the pay of janitors, to perform such duties  
 225 as shall be determined by said court, and to be paid upon the order of at  
 226 least two of the judges. There is, also, hereby appropriated, to defray the  
 227 incidental and contingent expenses of the Appellate Courts of this State,  
 228 to-wit: To the first district, for rent of court rooms, including fuel and light,  
 229 the sum of five thousand dollars (\$5,000) per annum; for stationery, postage,  
 230 expressage, repairs, furniture, and other expenses deemed necessary by said  
 231 court, the sum of two thousand dollars (\$2,000) per annum; and for the  
 232 salary of the librarian of said court the sum of five hundred dollars (\$500) per  
 233 annum, payable monthly; to the second district, for stationery, fuel, lights,  
 234 postage, expressage, repairs, furniture and other expenses deemed necessary  
 235 by said court, the sum of fifteen hundred dollars (\$1,500) per annum; the third  
 236 district, and the fourth district, each, the sum of one thousand dollars (\$1,000)  
 237 per annum, for stationery, fuel, lights, postage, expressage, repairs, furniture and  
 238 other expenses deemed necessary by the respective courts; these sums to be  
 239 paid upon bills of particulars, certified to by the clerks of the respective  
 240 courts, upon the order of at least two of the judges of the respective court for  
 241 which the expense was incurred. Also the sum of four hundred dollars  
 242 (\$400) per annum, each, to the second, third and fourth districts, for the pay  
 243 of janitors, to perform such duties as shall be determined by the judges of  
 244 the respective courts, to be paid upon the order of at least two of the  
 245 judges in each district.  
 246 Twenty ninth To the Commission of Claims for the payment for salaries of  
 247 bailiff, assistant clerk, necessary record books, files, stationery, postage, expres-

248 sage and other incidental expenses, the sum of fifteen hundred dollars (\$1,500)  
 249 per annum. All accounts to be certified by the president of the Commis-  
 250 sion as provided by law.

251 Thirtieth For the salary of a curator of the Illinois State Museum of Nat-  
 252 ural History, the sum of two thousand five hundred dollars (\$2,500) per annum;  
 253 for the salary of one assistant, the sum of one thousand dollars (\$1,000) per  
 254 annum; and for the salary of one janitor, nine hundred dollars (\$900) per  
 255 annum, payable monthly, as provided by law. For the contingent and  
 256 necessary expenses of the curator, including traveling expenses on business  
 257 connected with his office, the sum of one thousand dollars (\$1,000) per an-  
 258 num, payable on bills of particulars, duly certified to by the curator and  
 259 approved by the Governor.

260 Thirty-first To the Railroad and Warehouse Commissioners, for the in-  
 261 cidental expenses of their office, including care, stationery, postage and  
 262 telegraphing, extra clerk hire, and for the secretary's salary, and for all  
 263 necessary expenditures, except those hereinafter provided for, a sum not  
 264 to exceed four thousand dollars (\$4,000) per annum. For any expenses in-  
 265 curred in suits or investigations commenced by authority of the State  
 266 under any law now in force, or hereafter to be enacted, empowering or in-  
 267 trusting the Board of Commissioners, including the fees of experts em-  
 268 ployed, and clerical help, the sum of five thousand dollars (\$5,000) per  
 269 annum, or such part thereof as may be needed for such purposes. For the  
 270 printing and publication of schedules of reasonable maximum rates of  
 271 charges for the transportation of passengers and freights and cars, made  
 272 or revised for any or all of the railroads of the State, as provided by  
 273 law, the sum of three thousand dollars (\$3,000), or so much thereof as may  
 274 be needed for such purpose. For the printing and publication of railroad  
 275 maps of Illinois to be bound with annual reports, and for distribution of  
 276 the same, the sum of twelve hundred dollars (\$1,200) per annum. For the pur-

pose of fitting up their office with fire-proof iron boxes and book racks, the sum of eight hundred dollars (\$800) or so much thereof as may be necessary. For the salary of a civil engineer to be employed by the Commission in their discretion, the sum of \$3,000 per annum, which said civil engineer when so employed shall do such engineering work, and make such inspections and reports, as the said Commission may direct, for which he shall receive compensation to be fixed by the Commission, not exceeding the said sum of \$3,000 per annum, to be paid upon bills of particulars certified to by the Railroad and Warehouse Commission and approved by the Governor.

Thirty-second. The sum of three hundred and fifty dollars (\$350) per annum for the purchase of books for the library of the Southern Illinois penitentiary at Chester, to be paid upon bills of particulars having the order of the Governor endorsed thereon.

Thirty-third. The sum of five hundred dollars (\$500) per annum for the purchase and binding of books for the library of the Illinois State penitentiary at Joliet, to be paid upon bills of particulars having the order of the Governor endorsed thereon.

Thirty-fourth. To the Commissioners of Labor Statistics, for the purpose of procuring, tabulating and publishing industrial statistics as contemplated by law; for clerical services, the employment of canvassers and the incidental and office expenses of the board, for defraying the expenses of the mine inspection service, and for the per diem and traveling expenses of the commissioners, the sum of six thousand dollars (\$6,000) per annum, or so much thereof as may be necessary; also the sum of three hundred dollars (\$300) to defray the expenses of the biennial examination for mine inspectors, and for the purchase of instruments for the use of mine inspectors; and the sum of twenty-five hundred dollars (\$2,500) per annum for the salary of the secretary of the board.

306     Thirty fifth -For paying damages for animals, diseased or exposed to con-  
 307     tagion, slaughtered, for property necessarily destroyed, and for expenses  
 308     of disinfection of premises, when such disinfection is practicable under the  
 309     provisions of any law of this State for the suppression and prevention of  
 310     the spread of contagious and infectious diseases among domestic animals,  
 311     the sum of twenty-five thousand dollars (\$25,000) per annum, or so much thereof  
 312     as may be necessary; and in addition to said sum of \$25,000, any sums of  
 313     money that may be received by the Board of Live Stock Commissioners as  
 314     the net proceeds of the sales of the healthy carcasses of animals slaughtered  
 315     under the provisions of law, and paid by them into the State treasury, to  
 316     be paid only in the manner and on the conditions provided in said law.  
 317     Also to the Board of Live Stock Commissioners the sum of ten thousand  
 318     dollars (\$10,000) per annum, or so much thereof as may be necessary, for  
 319     the payment of the necessary expenses incurred in the discharge of their  
 320     duties as prescribed by law, including the per diem and traveling expenses  
 321     of the members of the board, the State veterinarian, and assistant State  
 322     veterinarians, and salary of secretary.

323     Thirty-sixth- The sum of seven thousand five hundred dollars (\$7,500) per  
 324     annum, or so much of it as may be necessary, to the Fish Commissioners  
 325     of the State, to be used by them in pursuance of law. The sum of five  
 326     thousand dollars (\$5,000) per annum, or so much thereof as may be neces-  
 327     sary, for the personal and traveling expenses of the Fish Commissioners,  
 328     and for the service and expense of such persons as may be employed by  
 329     them, including fish wardens while performing services for which no fees  
 330     are allowed, in enforcing the laws relative to fishways over dams, and for  
 331     the protection of fish. All expenditures to be upon bills of particulars,  
 332     certified to by a majority of the commissioners and approved by the Gov-  
 333     ernor.

334     Thirty-seventh- To the State Board of Health, for salary of secretary,

335 three thousand dollars (\$3,000) per annum; for necessary office expenses,  
 336 including expenses incurred in attending meetings of the board, and in  
 337 making sanitary inspections, and for services of janitor the sum of two  
 338 thousand dollars (\$2,000) per annum; for salary of assistant secretary and  
 339 additional clerk hire four thousand dollars (\$4,000) per annum. Also the  
 340 sum of ten thousand dollars (\$10,000), as a contingent fund, to be used only  
 341 with the consent and concurrence of the Governor, upon the recommenda-  
 342 tion and advice of the board, in case of the outbreak or threatened out-  
 343 break of any epidemic or malignant disease such as Asiatic cholera, small-  
 344 pox, yellow fever, or to defray the expense of preventing the introduction  
 345 of such diseases, or their spread from place to place within the State, and  
 346 in suppressing outbreaks which may occur, and in investigating their  
 347 causes and methods of prevention, also, special investigations, when re-  
 348 quired by the sanitary necessities of the State; and any necessary expen-  
 349 ditures from this sum shall be paid on the order of the president of the  
 350 board, attested by the secretary and approved by the Governor.

351 Thirty-eighth To the Lieutenant Governor, for postage, telegraphing,  
 352 stationery, and other incidental expenses, the sum of fifty dollars (\$50) per  
 353 annum, payable upon his order.

354 Thirty-ninth The sum of one thousand dollars (\$1,000), or so much as  
 355 may be necessary, to pay the expenses of committees of the Thirty-eighth  
 356 General Assembly; such expenses to be certified as may be provided by  
 357 resolution of either house.

358 Fortieth To the trustees of the Lincoln Homestead, for the salary of a  
 359 custodian, the sum of one thousand dollars (\$1,000) per annum, and for  
 360 repairs and improvements, the sum of one hundred and fifty dollars (\$150)  
 361 per annum; to be expended by said trustees as provided in the act of 1887  
 362 creating said trust.

363 Forty first To the Illinois State Historical Library, for the continuation,

364 care and maintenance thereof, the sum of two thousand five hundred  
365 dollars per annum, of which six hundred dollars per annum shall be  
366 paid as a salary to the librarian; to be expended under the provisions and  
367 in the manner specified in the act of 1889 establishing said library.

§ 2. The Auditor of Public Accounts is hereby authorized and directed  
2 to draw warrants on the State Treasurer for the sums herein specified,  
3 upon the presentation of proper vouchers; and all sums herein appropriated  
5 for the pay of clerks, secretaries, porters, messengers, janitors, watchmen,  
6 policemen, laborers, engineers, firemen, stenographers, curators and libra-  
7 rians shall, when not otherwise provided by law, be paid upon monthly  
8 pay rolls, duly certified to, respectively, by the heads of departments  
9 bureaus or boards of commissioners and trustees requiring the services of  
10 such employes; and the State Treasurer shall pay the same out of the  
11 proper funds in the treasury, not otherwise appropriated. Said warrants  
12 shall be drawn in favor of and payable to the order of the persons entitled  
13 thereto.

**37th Assem.**

**HOUSE.**

**June 1891**

**AMENDMENT TO SENATE BILL No. 157 IN HOUSE.**

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Recommended by Conference Committee June 12, 1891.

Amend by inserting after the word "secretary," at the end of line 334 of printed Senate bill, the following: "who shall be chosen from and be a member of said board of health."





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AMENDMENTS TO SENATE BILL No. 157—IN HOUSE.

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Adopted by the House of Representatives June 4 and 5, 1891, ordered printed and engrossed, June 5, 1891.

1. Amend section 1 by inserting after the words, "Secretary of State," in lines 31 and 33, of the printed bill, the words, "and State Treasurer."

2. Amend section 1 by striking out all beginning at the word "and" in line 51 of the printed bill, to and including the word "per annum" in line 53.

3. Amend by inserting after the words "per annum" in line 29 of section 1, of the printed bill, the words "payable upon monthly pay rolls duly certified by the Secretary of State."

4. Amend section 1 by striking out of the printed bill; all after the word "monthly" in line 67, to and including the word "library" in line 71.

5. Amend section 1 by striking out of line 109 of the printed bill, the words and figures, "two thousand dollars, (\$2,000)," and inserting in place thereof the words, "five hundred dollars."

6. Amend same section by striking out the words and figures, "twenty thousand dollars, (\$20,000)" in line 112, and inserting in place thereof the words, "fifteen thousand dollars (\$15,000)."

7. Amend same section by striking out the words and figures "fifteen thousand dollars (\$15,000)" in line 119 and 120, and insert in place thereof the words, "ten thousand dollars (\$10,000)."

8. Amend same section by striking out in line 125 of the printed bill, the words, "five thousand dollars, (\$5,000)," and inserting in place thereof, the words and figures, "three thousand dollars (\$3,000)."

9. Amend by striking out of lines 134 and 135 of the printed bill the

following," for stenographer and type-writer, the sum of seven hundred and fifty dollars (\$750) per annum."

10. Strike out all after the word "per annum" in line 170, and all of line 171, preceding the word "and" in section one of printed bill.

11. Amend same section by striking out the words "three thousand two hundred dollars (\$3,200)," in line 182 of the printed bill and insert the words "three thousand dollars (\$3,000)," in place thereof.

12. Amend same section by striking out the words and figures, "five thousand five hundred dollars (\$5,500)," in line 197 of the printed bill, and insert the words and figures, "four thousand five hundred dollars (\$4,500)," in place thereof.

13. Amend same section by striking out the words and figures "one thousand dollars, (\$1,000)" in lines 206 and 207 of the printed bill and insert the words and figures "five hundred dollars, (\$500)," in place thereof.

14. Amend line 220 of paragraph 28, of section 1, by striking out the words and figures, "five thousand dollars, (\$5,000)," and insert in lieu thereof the following, "five thousand six hundred dollars, (\$5,600)."

15. Amend section 1 after the words, "per annum" in line 231, by inserting the following, "for purchasing and erecting file cases, the sum of one thousand five hundred dollars (\$1,500)."

16. Amend same section in line 231 by striking out of the printed bill the words and figures, "two thousand dollars (\$2,000)," and inserting in place thereof the words and figures, "one thousand five hundred dollars, (\$1,500)."

17. Amend in line 235, by striking out the words and figures, "fifteen hundred dollars, (\$1,500)," and inserting in place thereof, "one thousand dollars (\$1,000)."

18. Amend 30th paragraph, line 257, by striking out "one thousand dollars, (\$1,000)," and insert "five hundred dollars, (\$500)" in place thereof.

19. Amend 31st paragraph, line 268, by striking out "five thousand dollars, (\$5,000)," and inserting therefor "four thousand dollars (\$4,000)."

20. Amend paragraph 31, in line 273, of the printed bill, by striking out "three thousand dollars, (\$3,000)," and inserting therefor "two thousand dollars (\$2,000)."

21. Amend paragraph 31, by striking from line 278 the following, "eight hundred dollars, (\$800)," and inserting therefor "five hundred dollars (\$500)."

22. Amend paragraph 31, by striking out of the printed bill all of lines 279, 280, 281, 282, 283 and all of line 284, to and including the words "per annum."

23. Amend section 1 by striking out the words and figures, "five hundred dollars, (\$500)," in line 291 of the printed bill, and inserting the words and figures, "three hundred and fifty dollars, (\$350)," in place thereof.

24. Amend same section by striking out the words "per annum," in line 311 of the printed bill.

25. Amend same section by striking out the words and figures "five thousand dollars, (\$5,000)," in lines 325 and 326 of the printed bill and inserting the words and figures "two thousand five hundred dollars, (\$2,500)," in place thereof.

26. Amend by striking out all of line 334, after the word "health," in said line, and all of line 335, to and including the words "per annum," and amend by adding the following in line 338, after the words "per annum:" "seven hundred and twenty dollars shall be applied as the salary of a messenger and janitor of the board."

27. Amend section 1, by striking out the words, "two thousand five hundred dollars" in lines 364 and 365, of the printed bill, and inserting the words "sixteen hundred dollars" in place thereof.

28. Following the close of the paragraph 41 add the following: "Forty second The sum of thirty-five hundred dollars for the purchase and making of carpets for the hall of the House of Representatives, the Senate chamber and the halls and rooms adjoining thereto, to be paid upon itemized bills certified to by the Secretary of State and approved by the Governor."



1. Introduced by Mr. O'Connor, February 18, 1891, and ordered to first reading.
2. First reading February 18, 1891, and referred to Committee on Judiciary.
3. Reported back May 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to confer power upon courts of record of staying proceedings in criminal cases after judgment.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly:* 1. Whenever any person has been convicted in  
3 any court of record in this State, of any crime or misdemeanor punishable  
4 by confinement in the county jail or penitentiary, the court in which such  
5 person has been convicted shall have the power, after pronouncing judg-  
6 ment, and the same has been duly entered of record, of ordering that execution  
7 on said judgment be stayed for a term not more than sixty days from the  
8 day of the pronouncing and entering of the judgment: *Provided, however,*  
9 *before such stay of proceedings is granted the court or judge granting the*  
10 *same shall be satisfied that it is the intention of the person so convicted to*  
11 *sue out a writ of error in the Appellate or Supreme court, as the case may*  
12 *be, and of applying for a supersedeas for the purpose of staying the judg-*  
13 *ment of conviction so pronounced.*

14 2. Whenever any stay of proceedings has been granted in accordance  
15 with the previous section, and no supersedeas issued out of the Appellate  
16 or Supreme court, staying the judgment so pronounced, has been filed in

17 the office of the clerk of the court, granting the stay of proceedings and  
18 execution within the time fixed wherein such proceedings have been stayed.  
19 it shall be the duty of the clerk of the court, within five days from the ex-  
20 piration of the time fixed by said order staying proceedings on any such  
21 judgment of conviction, to issue an execution or mittimus upon such judge-  
22 ment of conviction, and place the same in the hands of the proper officer  
23 empowered to serve the same, and thereupon said officer shall proceed to  
24 execute the same in like manner as if such stay of proceedings had never  
25 been granted.

1. Introduced by Mr. MacMillan February 18, 1891, and ordered to first reading.
2. First reading February 18, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back February 18, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to entitle women to vote at any election held for the purpose of choosing any officer under the general or special school laws of this State.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* Any woman of the age of twenty-one years and upwards, belonging to either of the classes mentioned in article 7 of the constitution of the State of Illinois, who shall have resided in this State one year, in the county ninety days, and in the election district thirty days preceding any election held for the purpose of choosing any officer of schools under the general or special school laws of this State, shall be entitled to vote at such election in the school district of which she shall at the time have been for thirty days a resident: *Provided,* any woman so desirous of voting at any such election shall have been registered in the same manner as is provided for the registration of male voters.

§ 2. Whenever the election of public school officers shall occur at the

2 same election at which other public officers are elected, the ballot offered by  
3 any woman entitled to vote under this act shall not contain the name of any  
4 person to be voted for at such election except such officers of public schools,  
5 and such ballots shall all be deposited in a separate ballot-box, but canvassed  
6 with other ballots cast for school officers at such election.



1. Introduced by Mr. Knopf February 18, 1891, and ordered to first reading.
2. First reading February 18, 1891, and referred to Committee on Education and Educational Institutions, and ordered printed for Committee.

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## A BILL

For an act concerning the compulsory education of children

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### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly* That every parent, guardian or person having  
3 under his control a child between the ages of seven and fourteen years  
4 shall annually cause such child to attend for at least sixteen weeks during  
5 each year some public or private day school, as may be selected by the  
6 parent or guardian.

7 For every neglect of such duty the person offending shall forfeit to the  
8 use of the public schools of the city or district in which he resides a sum  
9 not less than one nor more than twenty dollars, and shall stand committed  
10 until such fine and costs of suit are paid. But if the person neglecting to  
11 send his child to some public or private day school shall show that instruction  
12 has otherwise been given during the year for a like period of time to such  
13 child in the branches commonly taught in the public or private day schools,  
14 or that his physical or mental condition, as declared by a competent  
15 physician, is such as to render such attendance inexpedient or impractic-  
16 cable, then such penalty shall not be incurred. Such fine shall be paid,  
17 when collected, to the school treasurer of such city or township, to be  
18 accounted for by him as other school money raised for school purposes.

19 The certificate of the superintendent or principal of any public or private  
20 school that any child is attending, or has for at least sixteen weeks during  
21 the current year attended said school, shall be prima facie evidence of such  
22 facts.

23 Any superintendent or principal of a school who, with intent to evade  
24 the provisions of this act, shall make a willful false statement concerning  
25 the time any child has attended the school under his charge, shall be fined  
26 for such offense not less than three dollars nor more than twenty dollars,  
27 for the use of the public schools of the city or district in which the school  
28 under his charge is situated.

§ 2. It shall be the duty of the board of education in every city and the  
2 board of school directors in every school district to appoint one or more  
3 truant officers, whose duty it shall be carefully to inquire concerning all  
4 supposed violations of this act, and to enter complaint against all persons  
5 who shall be guilty of such violation. It shall also be the duty of said  
6 officer to arrest children of a school going age who habitually haunt public  
7 places, and also truant children who absent themselves from school without  
8 leave, and to place each child thus arrested in charge of the parent,  
9 guardian or other person having charge of such child, and said parent,  
10 guardian or person having the right to control such child shall designate  
11 the school which he desires such child to attend. Where the parent,  
12 guardian or person having control of a child shall refuse to designate any  
13 particular school, or in case such child has no parent, guardian or person  
14 in control, then the truant officer shall take such child to the public school  
15 situated in the district where such child lives or to such public school as  
16 the board may direct.

17 Said truant officers shall have such compensation for services rendered  
18 under this act as shall be determined by the board of education or the  
19 board of directors appointing such officer, which compensation shall be paid  
20 from the distributable school fund.

§ 3. Any person having control of a child who, with intent to evade the provisions of this act, shall make a willful false statement concerning the age of such child or the time such child has attended school, shall for such offense forfeit a sum of not less than three dollars nor more than twenty dollars, for the use of the public schools of the city or district in which he resides.

§ 4. Prosecutions under this act shall be instituted and carried on by the authorities of such boards, and be brought in the name of the People of the State of Illinois for the use of the school fund of said city or township.

§ 5. Police, municipal courts, justices of the peace, and judges of the county court, shall have jurisdiction within their respective counties of the offenses described in this act.

§ 6. Any truant officer who shall willfully or negligently or without due inquiry arrest any child or children that have complied or are complying with the provisions of this act, or that are excused from attendance under the provisions of section 1, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than twenty-five dollars. Such fine may be recovered by information, complaint or indictment or other appropriate remedy in any court of competent jurisdiction, and when recovered shall be paid into the school fund of the city or township in which he was appointed.

§ 7. "An act concerning the education of children," approved May 24 1889, in force July 1, 1889, and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.



1. Introduced by Mr. Wells Feb. 18, 1891, and ordered to first reading.
2. First reading February 18, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back with amendments February 27, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 7 of article 16 of an act entitled "An act to establish and maintain a system of free schools," approved May 21, 1889, and in force July 1, 1889.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 7 of article 16 of an act entitled "An act to establish and maintain a system of free schools," approved May 21, 1889, and in force July 1, 1889, be and the same is hereby amended so as to read as follows:

Section 7. This act shall not be so construed as to repeal or change, in any respect, any special acts in relation to schools in cities having less than 100,000 inhabitants or incorporated towns, townships or districts, except that in every such city, town, township or district the limit of taxation for educational and building purposes shall be the same as that fixed in section 1, article eight of this act; and except that it shall be the duty of the several boards of education or their officers of any city or incorporated town, township or district, having in charge schools under the provision of any of said special acts, or of any ordinance of any city or incorporated town on or before the 15th day of July preceding each session of the General Assembly of this State, or annually, if required so to do by the State

12 Superintendent of Public Instruction, to make out and render a statement  
 13 of all such statistics and other information in regard to schools and the  
 14 enumeration of persons, as is required to be communicated by township  
 15 boards of trustees or directors, under the provisions of this act, or so much  
 16 thereof as may be applicable to said city or incorporated town, to the  
 17 county superintendent of the county where such city or incorporated town  
 18 is situated, or of the county in which the larger part of such city or in-  
 19 corporated town is situated; nor shall it be lawful for the county superin-  
 20 tendent, or any other officer or person, to pay over any portion of the com-  
 21 mon school fund to any local treasurer, school agent, clerk, board of edu-  
 22 cation, or other officer or person of any township, city or incorporated town,  
 23 unless a report of the number of persons and other statistics relative to  
 24 schools, and a statement of such other information as is required by the  
 25 board of trustees or of directors, as aforesaid, and of other school officers  
 26 and teachers, under the provisions of this act, shall have been filed at the  
 27 time or time or times aforesaid specified in this section, with the superintendent  
 28 of the proper county as aforesaid.

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## AMENDMENT PROPOSED BY THE COMMITTEE ON EDUCATION AND EDUCATIONAL INSTITUTIONS.

Amend the bill by adding the following:

Section 2. Whereas, an emergency exists, therefore this act shall take  
 2 effect and be in force from and after its passage.

1. Introduced by Mr. Fuller February 19, 1891, and ordered to first reading.
2. First reading February 19, 1891, and referred to Committee on Railroads.
3. Reported back March 19, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section one of an act entitled "An act in regard to the dangers incident to railroad crossings on the same level," approved June 3, 1887.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 1 of an act entitled "An act in regard  
3 to the dangers incident to railroad crossings on the same level," approved  
4 June 3, 1887, be amended so as to read as follows:

Section 1. That when and in case two or more railroads crossing each  
2 other on a common grade, or any railroad crossing any stream or harbor by  
3 swing or draw bridge shall, by a system of interlocking and automatic  
4 signals, or by other works, fixtures and machinery to be erected by them,  
5 or either of them, render it safe for engines and trains to pass over such  
6 crossing or bridge without stopping, and such system of interlocking and  
7 signals, works or fixtures shall first be approved by the Railroad and  
8 Warehouse Commissioners, or any two of them, the a plan of such interlocking  
9 and signals, works and fixtures for such crossing designating the plan of  
10 crossing shall have been filed with such Railroad and Warehouse Commis-  
11 sioners, then and in that case it is hereby lawful for the engines and trains  
12 of any such railroad or railroads to pass over said crossing or bridge with-

13 out stopping, any law, or the provisions of any law, now in force to the  
14 contrary notwithstanding; and all such other provisions of laws contrary  
15 thereto are hereby declared not to be applicable in such case: *Provided,*  
16 that the said Railroad and Warehouse Commissioners shall have power in  
17 case such interlocking system, in their judgment, shall by experience prove  
18 to be unsafe or impracticable to order the same to be discontinued.



1. For the bill, Mr. Leavelle introduced on February 19, 1891, and ordered to first reading, February 20, and referred to Committee on Education.
2. Reported back, March 1, and ordered to be printed for the use of the Assembly.

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## A BILL

For an act to provide for text books for the public schools.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That the board of education in all cities and villages and board of directors in villages and school districts in every city, village and school district shall purchase, at the expense of said city, village or school district, the text books and other school supplies needed by the pupils in the public schools, and said text books and supplies shall be loaned to the pupils of said public schools, free of charge, subject to such rules and regulations as to care and custody as the board of education, or board of directors may, in each case, prescribe.

2. Pupils supplied with text-books at the time of the passage of this act shall not be supplied with similar books by the school board, until such books are needed by them, and the board may make equitable arrangements for the exchange of books in use for new books adopted.

3. The board of education and board of directors are hereby authorized to levy a tax annually upon the taxable property of the city, village or district to provide funds necessary to carry into effect the provisions of this act, said levy not to exceed two per cent. to be ascertained by the last assessment of State and county taxes.

§ 4. All the books and other supplies purchased under the provisions of this act shall be paid for out of the school fund, on warrants showing the article or articles for which the money is to be paid.

§ 5. Before purchasing text-books under the provisions of this act, it shall be the duty of every board of education or board of directors, to advertise, inviting bids from persons wishing to furnish books and supplies, by publishing a notice for three consecutive weeks, in one or more newspapers published in the county. Said notice shall state time up to which all bids will be received, the classes and grades for which text-books and other necessary supplies are to be bought, and the approximate quantity needed, and said boards shall award the contract for said text-books and supplies to any responsible bidder, or bidders, offering suitable text-books and supplies, at the lowest prices, taking into consideration the quality of material used, illustrations, binding, and other things that go to make up a desirable text-book, and such boards may, to the end that they may be fully advised, consult the county superintendent of schools with reference to the selection of text-books: *Provided*, that the board may reject any and all bids or any part thereof and re-advertise, as above provided.

§ 6. Any person or firm desiring to furnish books or supplies under this act, shall at or before the time of filing his bid, hereunder deposit with the clerk of the board, samples of all text-books included in his bid, accompanied with lists, giving the lowest price for the same, and said samples and lists shall remain with the clerk of the board and be the property of the city, village or district, and shall be delivered by such clerk to his successor in office, and shall be kept by the clerk for the inspection of school officers, patrons and teachers, who may desire to examine the same and compare them with others, for the purpose of use in the public schools. The board of education or board of directors shall require of any person, or persons, with whom they contract for furnishing any books or supplies,

12 to enter into a good and sufficient bond in such sum, and with such con-  
 13 ditions and sureties as may be required for the faithful performance of any  
 14 such contract, which bond may be in the following form, and shall be  
 15 approved by the board of education or board of directors:

16 **BOND OF CONTRACTOR**

17 Know all men by these presents:

18 That we, \_\_\_\_\_ of \_\_\_\_\_ as principal, and \_\_\_\_\_  
 19 as sureties, are held and firmly bound unto \_\_\_\_\_ in the penal  
 20 sum of \_\_\_\_\_ unto be paid to the said \_\_\_\_\_ for which  
 21 payment well and truly to be made, we bind ourselves, our heirs, executors  
 22 and administrators, firmly by these presents.

23 The conditions of the above obligation are such that if the above bounden  
 24 \_\_\_\_\_ shall well and truly fulfill and comply with all the  
 25 obligations of their contract made on the \_\_\_\_\_ day of \_\_\_\_\_

26 189\_\_\_\_ with the aforesaid \_\_\_\_\_ providing for the furnishing of  
 27 school text books at prices and on conditions set forth in their said contract,  
 28 a copy of which said contract is hereto attached and made a part hereof,  
 29 then this obligation to be void, otherwise to remain in full force and  
 30 effect.

31 In testimony whereof we have hereunto subscribed our names, this  
 32 \_\_\_\_\_ day of \_\_\_\_\_ 189\_\_\_\_

33 \_\_\_\_\_  
 34 \_\_\_\_\_ Principal.

35 \_\_\_\_\_  
 36 \_\_\_\_\_

37 \_\_\_\_\_ Sureties.

38 And Pupils who, for any cause whatever, do not desire to avail them-  
 39 selves of the provisions of this act, but prefer to own the text-books, can  
 40 do so by paying to the clerk of the board of education or board of direc-  
 41 tors, the actual cost of such text-books.

§ 8. The clerk of the board of education or of directors, shall be the  
2 custodian of all books and supplies which, by the foregoing sections of this  
3 act, shall come into the possession of any city, village or township, and also  
4 of all moneys that may be paid by individuals for books to be used in the  
5 schools, and he shall give bonds in a sum that shall be approved by the  
6 board of education or of directors for the faithful performance of his duty,  
7 and for the proper use of the books, supplies and money, of which he is  
8 the custodian. Said clerk shall receive a reasonable compensation for the  
9 service required of him by this act, which shall be fixed by the board of  
10 education or board of directors.

§ 9. All acts or parts of acts in conflict with the provisions of this act,  
2 are hereby repealed.

1. Introduced by Mr. Humphrey February 19, 1891, and ordered to first reading.
2. First reading February 19, 1891, and referred to Committee on Warehouses.
3. Reported back March 25, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 14 of "An act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of this State," approved April 25, 1871.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 14 of an act entitled "An act to regu-  
3 late public warehouses and the warehousing and inspection of grain, and  
4 to give effect to article 13 of the constitution of this State," be and the  
5 same is hereby so amended as to read as follows:

Section 14. It shall be the duty of the Governor to appoint by and with  
2 the advice and consent of the Senate a suitable person, who shall not be a  
3 member of the board of trade, and who shall not be interested either  
4 directly or indirectly in any warehouse in this State, a chief inspector of  
5 grain, who shall hold his office for the term of two years, unless sooner  
6 removed as hereinafter provided for, in every city or county in which is  
7 located a warehouse of class A or class B: *Provided*, that no such grain  
8 inspector for cities or counties in which are located warehouses of class B  
9 shall be appointed, except upon the application and petition of two or more  
10 warehousemen doing a separate and distinct business, residing and doing

11 business in such city or county, and when there shall be a legally organized  
12 board of trade in such cities or counties, such application and petition  
13 shall be officially endorsed by such board of trade before such application  
14 and petition shall be granted.

15 It shall be the duty of such chief inspector of grain to have a general  
16 supervision of the inspection of grain as required by this act or laws of  
17 this State, under the advice and immediate direction of the board of com-  
18 missioners of railroads and warehouses.

19 The said chief inspector shall be authorized to nominate to the commis-  
20 sioners of railroads and warehouses such suitable persons, in sufficient num-  
21 bers, as may be deemed qualified for assistant inspectors, who shall not be  
22 members of the board of trade nor interested in any warehouse, and also  
23 such other employees as may be necessary to properly conduct the business  
24 of his office; and the said commissioners are authorized to make such  
25 appointments.

26 The chief inspector shall, upon entering upon the duties of his office, be  
27 required to take an oath, as in cases of other officers, and he shall execute  
28 a bond to the People of the State of Illinois in the penal sum of \$50,000  
29 when appointed for any city in which is located a warehouse of class A,  
30 and \$10,000 when appointed for any other city or county, with sureties to  
31 be approved by the board of commissioners of railroads and warehouses,  
32 with a condition therein that he will faithfully and strictly discharge the  
33 duties of his said office of inspector according to law and the rules and  
34 regulations prescribing his duties; and that he will pay all damages to any  
35 person or persons who may be injured by reason of his neglect, refusal or  
36 failure to comply with law and the rules and regulations aforesaid; and  
37 that he will promptly refund to the railroad and warehouse commission  
38 of the State of Illinois any and all moneys said commission may pay to

39 any person, firm or corporation upon account of any claim for damages  
40 arising from any such neglect, refusal or failure.

41 And each assistant inspector shall take a like oath, execute a bond in  
42 the penal sum of \$5,000 with like conditions and to be approved in like  
43 manner as is provided in case of the chief inspector, which said several  
44 bonds shall be filed in the office of said commissioners, and suit may be  
45 brought upon said bond or bonds in any court having jurisdiction thereof  
46 in the county where the plaintiff or defendant resides for the use of the  
47 person or persons injured.

48 The chief inspector of grain and all assistant inspectors of grain and  
49 other employes in connection therewith shall be governed in their respective  
50 duties by such rules and regulations as may be prescribed by the board of  
51 commissioners of railroads and warehouses; and the said board of commis-  
52 sioners shall have full power to make all proper rules and regulations for  
53 the inspection of grain, and shall also have power to fix the rate of charges  
54 for the inspection of grain and the manner in which the same shall be  
55 collected, which charges shall be regulated in such a manner as will in the  
56 judgment of the commissioners produce sufficient revenue to meet the  
57 necessary expenses of the service of inspection and no more.

58 It shall be the duty of the said board of commissioners to fix the amount  
59 of compensation to be paid to the chief inspector, assistant inspectors and  
60 all other persons employed in the inspection service, and prescribe the  
61 time and manner of their payment.

62 The said board of commissioners of railroads and warehouses are hereby  
63 authorized to appoint a suitable person as a warehouse registrar and such  
64 assistants as may be deemed necessary to perform the duties imposed upon  
65 such registrar by the provisions of this act.

66 The said board of commissioners shall have and exercise a general super-  
67 vision and control of such appointees; shall prescribe their respective duties;

68 shall fix the amount of their compensation and the time and manner of its  
69 payment.

70 Upon the complaint in writing of any person to the said board of com-  
71 missioners, supported by reasonable and satisfactory proof, that any person  
72 appointed or employed under the provisions of this section has violated  
73 any of the rules prescribed for his government, has been guilty of any im-  
74 proper official act, or has been found insufficient or incompetent for the  
75 duties of his position, such person shall be immediately removed from his  
76 office or employment by the same authority that appointed him, and his  
77 place shall be filled, if necessary, by a new appointment; or in case it shall  
78 be deemed necessary to reduce the number of persons so appointed or em-  
79 ployed, their term of service shall cease under the orders of the same  
80 authority by which they were appointed or employed.

81 All necessary expenses incident to the inspection of grain and to the  
82 office of registrar economically administered, including the rent of suitable  
83 offices, and also such claims against the inspection department as may be  
84 approved by the railroad and warehouse commission in cases where the  
85 liability for such claims cannot be definitely fixed upon any employe who  
86 is required by law to give bond for the payment of such claim, shall be  
87 deemed expenses of the inspection service and shall be included in the esti-  
88 mate of expenses of such inspection service, and shall be paid from the  
89 funds collected for the same.



1. Introduced by Mr. Secest February 20, 1891, and ordered to first reading.
2. First reading February 20, 1891, and referred to Committee on Warehouses.
3. Reported back April 16, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the better protection of holders of warehouse receipts by requiring the periodical weighing of grain in warehouses of class "A."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That hereafter, at least once in each year, all grain  
3 in every warehouse of class "A" situated within this State shall be accu-  
4 rately weighed for the purpose of ascertaining the amount of each kind  
5 and grade of grain in store in such warehouses. The time for weighing  
6 grain in each of such warehouses in pursuance hereof shall be fixed by the  
7 Railroad and Warehouse Commission, due regard being had in fixing such  
8 time to the amount of grain in store and the convenience of the owner,  
9 lessee or manager of such warehouse. Said commission shall, at the time  
10 of fixing the date for weighing the grain in any warehouse in pursuance  
11 hereof, designate an inspector with such assistants as may be required, to  
12 be present when the weighing is done. The inspector so designated and  
13 his assistants, if any, shall have the right of admission to such warehouse  
14 during business hours at the time fixed for such weighing and until the  
15 same is completed; and the owner, lessee or manager of any such ware-

16 house shall furnish to such inspector all information necessary to enable  
17 him to ascertain fully the amount, kind and grade of all grain in store,  
18 and to fully accomplish the objects of this act. All weighing of grain pro-  
19 vided for in this act shall take place in the presence and under the super-  
20 vision of the inspector so designated, who shall, before such weighing is  
21 begun, test the scales used and satisfy himself that the same are correct.  
22 Said inspector shall examine all grain so weighed and keep a record of the  
23 weight and grade of each kind of grain contained in such warehouse, and  
24 he shall make a full detailed report thereof to the warehouse registrar for  
25 the purpose of comparison with the records of the office.

§ 2. Any proprietor, lessee or manager of any warehouse of class "A"  
2 who shall, after receiving forty-eight hours notice for that purpose, refuse  
3 to permit such inspector and his assistants to enter such warehouse and be  
4 present and supervise the weighing of grain as provided in this act, or who  
5 shall refuse or neglect to weigh all grain in store in such warehouse under  
6 the supervision of such inspector as in this act provided, shall forfeit and  
7 pay a penalty of two hundred dollars (\$200), and a further sum of one  
8 hundred dollars (\$100) for each subsequent day of such refusal or neglect,  
9 said penalty to be recovered in an action of debt in the name of the People  
10 of the State of Illinois, in any court of competent jurisdiction, and the  
11 penalties collected under this act shall be paid into the treasury of the  
12 county where such suit is brought.

1. Introduced by Mr. Secest February 20, 1891, and ordered to first reading.
2. First reading February 20, 1891, and referred to Committee on Warehouses.
3. Reported back April 10, 1891, passage recommended and ordered to second reading.
4. Second reading April 23, 1891, amended and ordered to third reading.

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## A BILL

For an act to provide for the better protection of holders of warehouse receipts by requiring the periodical weighing of grain in warehouses of class "A."

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter when it shall be deemed necessary by the State Board of Railroad and Warehouse Commissioners, they shall cause the grain in any warehouse of class "A" situated within this State to be accurately weighed for the purpose of ascertaining the amount of each kind and grade of grain in store in such warehouses. The time for weighing grain in any of such warehouses in pursuance hereof shall be fixed by the Railroad and Warehouse Commission, due regard being had in fixing such time to the amount of grain in store and the convenience of the owner, lessee or manager of such warehouse. Said commission shall at the time of fixing the date for weighing the grain in any warehouse in pursuance hereof, designate an inspector with such assistants as may be required, to superintend such weighing. The inspector so designated and his assistants, if any, shall have the right of admission to such warehouse during business hours at the time fixed for such weighing and until the same is completed

16 and the owner, lessee or manager of any such warehouse shall furnish to  
17 such inspector all information necessary to enable him to ascertain fully the  
18 amount, kind and grade of all grain in store, and to fully accomplish the  
19 objects of this act. All weighing of grain provided for in this act shall  
20 take place in the presence and under the supervision of the inspector so  
21 designated, who shall, before such weighing is begun, test the scales used  
22 and satisfy himself that the same are correct. Said inspector shall examine  
23 all grain so weighed and keep a record of the weight and grade of each  
24 kind of grain contained in such warehouse, and he shall make a full detailed  
25 report thereof to the warehouse registrar for the purpose of comparison with  
26 the records of the office.

§ 2. Any proprietor, lessee or manager of any warehouse of class "A"  
2 who shall, after receiving forty-eight hours notice for that purpose, refuse  
3 to permit such inspector and his assistants to enter such warehouse and be  
4 present and supervise the weighing of grain as provided in this act, or who  
5 shall refuse or neglect to weigh all grain in store in such warehouse under  
6 the supervision of such inspector as in this act provided, shall forfeit and  
7 pay a penalty of two hundred dollars (\$200), and a further sum of one  
8 hundred dollars (\$100) for each subsequent day of such refusal or neglect,  
9 said penalty to be recovered in an action of debt in the name of the People  
10 of the State of Illinois, in any court of competent jurisdiction, and the  
11 penalties collected under this act shall be paid into the treasury of the  
12 county where such suit is brought.

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1. Introduced by Mr. Secrest February 20, 1891, and ordered to first reading.
  2. First reading February 20, 1891, and referred to Committee on Appropriations.
  3. Reported back April 16, 1891, passage recommended and ordered to second reading.
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## A BILL

For an act making an appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State government.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That there be and hereby is appropriated the sum of eight hundred and ninety-two thousand dollars (\$892,000), or such sum as may be necessary, to pay the officers and members of the next General Assembly, and the salaries of the officers of the State government, at such rate of compensation as is now or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of next regular session of the General Assembly.



1. Introduced by Mr. Bass, February 20, 1891, and ordered to first reading.
2. First reading February 20, 1891, and referred to Committee on Insurance.
3. Reported back March 5, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to amend sections one (1) and six (6) of an act entitled "An act to incorporate and govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 11, 1869.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1) and six (6) of an act entitled "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved March 11, 1869, be and the same is hereby amended to read as follows,

Section 1. That any number of persons, not less than thirteen (13) may associate and form an incorporated company for the following purposes, to wit: To make insurance on dwelling houses, stores, and all kinds of buildings, and upon household furniture and other property, against loss or damage by fire, lightning and tornadoes, or either or any of said causes, and the risks of inland navigation and transportation, and on plate glass against breaking by accident.

Section 6. No joint stock company shall be incorporated under this act with a smaller capital than one hundred thousand dollars (\$100,000) actually paid

3 in cash, except that companies insuring on plate glass against breakage  
4 shall have a capital of not less than fifty thousand dollars (\$50,000), twenty per  
5 per cent. (20 per cent.) of which shall be paid in cash before commencing  
6 business.



1. Introduced by Mr. Chapman February 20, 1890, and ordered to first reading.
2. First reading February 20, 1890, and referred to Committee on Insurance.
3. Reported back March 3, 1890, and ordered to be printed for use of committee.

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## A BILL

For an act to amend sections one, four and eight '88 of an act entitled "An act to incorporate and to govern accident life insurance companies doing business in the State of Illinois," approved June 7, 1889, in force July 1, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any number of persons not less than nine (9) may associate and form an incorporated company authorized and empowered to make contracts and to issue policies and certificates insuring and protecting persons against loss of life or personal injury resulting from accident, which policies or certificates shall state on their face the agreement with the persons receiving the same, and when executed in accordance with the charter and by laws of said company shall be binding upon the same, and all companies organized under this or any law of this State to do an accident life insurance business are hereby authorized to insure plate glass against accidental breakage and steam boilers against explosion.

SECTION 2. It shall not be lawful for any company, association, individual or individuals organized or doing business under the laws of this State, or of any State government, to transact the business of accident life, plate

4 glass or steam boiler insurance in this State, or to aid in the transaction  
5 of the same, unless such company, association, individual or individuals has  
6 or have conformed in such other State or in this State with the same re-  
7 quirements in regard to capital and reserve that are imposed by sections  
8 four (4) and seven (7) of this act upon companies in this State.

1. Introduced by Mr. Mahoney, February 24, 1891, and ordered to first reading.
2. First reading February 24, 1891, and referred to Committee on Judiciary.
3. Reported back March 6, 1891, and ordered to be printed for use of committee.

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## A BILL

For an act to amend section 46 of an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 46 of an act entitled "An act to  
3 revise the law in relation to criminal jurisprudence," approved March 27,  
4 1874, in force July 1, 1874, be amended so as to read as follows:

Section 46. If any two or more persons conspire and agree, with the  
2 fraudulent or malicious intent wrongfully and wickedly to injure the person,  
3 character, business or property of another, or to obtain money or other  
4 property by false pretences, or to do any illegal act, injurious to the public  
5 trade, health, morals, police or administration of public justice, or to  
6 prevent competition in the letting of any contract by the State or the  
7 authorities of any county, city, town or village, or to induce any person  
8 not to enter into such competition, or to prevent the election to public  
9 office of any person because of the nationality or religious opinions or  
10 belief of such person, or to commit any felony, they shall be deemed  
11 guilty of a conspiracy; and every such offender and every person convicted  
12 of conspiracy at common law shall be imprisoned in the penitentiary  
13 not exceeding three years, or fined not exceeding one thousand dollars.



1. Introduced by Mr. Sevier February 26, 1891, and ordered to first reading.
2. First reading February 26, 1891, and recommended to committee on Judiciary.
3. Reported back March 1, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act empowering county and probate courts to authorize executors and administrators in certain cases to pay taxes on real estate.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That when it shall appear to the county or probate courts that it is for the interest of the heirs or the creditors of any estate being administered upon that the taxes on the real estate of such estate should be paid out of any moneys on hand the court may enter an order authorizing the executor or administrator of such estate to pay such taxes.



1. Introduced by Mr. Brink, February 24, 1891, and ordered to first reading.
2. First reading February 24, 1891, and referred to Committee on Judiciary.
3. Reported back April 10, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act entitled "An act to provide for the exercise of the right of eminent  
domain," approved April 12, 1872, and in force July 1, 1872.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to provide for the exercise of the right of eminent domain," approved April 12, 1872, and in force July 1, 1872, be and the same is hereby amended so as to add to said act the following section, to be numbered section 17.

Section 17. All costs, including the fees of jurors, occasioned by any proceeding under this act, shall be taxed against the petitioners, unless otherwise ordered by the judge or court, and a fee bill or execution may issue for the collection of the same, as is now provided by law for the collection of costs in other cases in courts of record.





1. Introduced by Mr. Seibert February 24, 1891, and ordered to first reading.
2. First reading February 24, 1891, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with amendments April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section eleven (11) of an act entitled "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of an act therein named," approved June 23, 1883, in force July 1, 1883, so as to read as follows:

Section 11. At this meeting they shall make out a list of able bodied men in this town between the ages of twenty-one and fifty years, and deliver the same to their treasurer on or before the first day of May in each year, and assess at such meeting against each person upon such list a sum of not less than one nor more than two dollars as a poll-tax for highway purposes, to be paid to such treasurer by the first Monday in June of each year: *Provided*, that paupers, idiots, lunatics, and such others as are exempt by law shall not be compelled to pay a poll-tax for highway purposes: *Provided, also*, that this list shall not include persons within the limits of cities or incorporated villages. They shall, within ten days after such list is delivered to their treasurer, cause written or printed notices to be given to each person so assessed, notifying him of the time when and place where such tax must be paid, and if this poll-tax shall not be paid by the first Monday of June in such year, it shall be the duty of the

15 commissioners, in the name of the town, to bring suit therefor against such  
 16 person, before some justice of the peace having jurisdiction thereof. Summons  
 17 shall be issued and returned in the same manner as provided by law in  
 18 other cases. If judgment is rendered against defendant, the court shall  
 19 find in such judgment that the same is for poll-tax unpaid, and shall endorse  
 20 the same on the execution, if one is issued. No property belonging to the  
 21 defendant shall be exempt from levy to satisfy such execution: *Provided,*  
 22 *also,* that on petition of not less than twenty-five legal voters of any town  
 23 in this State, in counties where township organization has been or may  
 24 be hereafter adopted, asking to have the proposition to abolish the poll-tax  
 25 submitted to the legal voters of said town and filed with the town clerk  
 26 not less than fifteen days before the regular town meeting of said town;  
 27 then the town clerk shall state in the notice of the annual town meeting  
 28 that the legal voters of such town may vote by ballot for or against the  
 29 payment of a poll-tax. And if a majority of all the ballots cast are against  
 30 the payment of a poll-tax, then that part of this section which provides  
 31 for the levying of a poll-tax shall no longer be in force in such town.

32 Whereas, an emergency exists, this act shall be in force and effect from  
 33 and after its passage.

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**AMENDMENT PROPOSED BY COMMITTEE ON ROADS, HIGHWAYS  
 AND BRIDGES.**

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**Amend the bill by striking out the last three lines of the original bill,  
 being the emergency clause.**

1. Introduced by Mr. Seibert, February 24, 1891, and ordered to first reading.
2. First reading February 24, 1891, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with amendments April 2, 1891, passage recommended and ordered to second reading.
4. Second reading May 27, 1891, amended, and ordered to a third reading.

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## A BILL

For an act to amend section eleven (11) of an act entitled "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of an act therein named," approved June 23, 1883, in force July 1, 1883.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section eleven (11) of an act entitled "An  
3 act in regard to roads and bridges in counties under township organization,  
4 and to repeal an act and parts of an act therein named," approved June 23,  
5 1883, in force July 1, 1883, be amended so as to read as follows:

Section 11. At this meeting they shall make out a list of able bodied  
2 men in their town between the ages of twenty-one and fifty years, and deliver  
3 the same to their treasurer on or before the first day of May in each year,  
4 and assess at such meeting against each person upon such list a sum of  
5 not less than one nor more than two dollars as a poll-tax for highway  
6 purposes, to be paid to such treasurer by the first Monday of June of each  
7 year: *Provided*, that paupers, idiots, lunatics, and such others as are  
8 exempt by law shall not be compelled to pay a poll-tax for highway pur

9 poses: *Provided, also,* that this list shall not include persons within the  
10 limit of cities or incorporated villages. They shall, within ten days after  
11 such list is delivered to their treasurer, cause written or printed notices  
12 to be given to each person so assessed, notifying him of the time when  
13 and place where such tax must be paid, and if this poll-tax shall not be  
14 paid by the first Monday of June in such year, it shall be the duty of the  
15 commissioners, in the name of the town, to bring suit therefor against such  
16 person, before some justice of the peace having jurisdiction thereof. Summons  
17 shall be issued and returned in the same manner as provided by law in  
18 other cases. If judgment is rendered against defendant, the court shall  
19 find in such judgment that the same is for poll-tax unpaid, and shall endorse  
20 the same on the execution, if one is issued. No property belonging to the  
21 defendant shall be exempt from levy to satisfy such execution: *Provided,*  
22 *also,* that on petition of not less than twenty-five legal voters of any town  
23 in this State, in counties where township organization has been or may  
24 be hereafter adopted, asking to have the proposition to abolish the poll-tax  
25 submitted to the legal voters of said town and file with the town clerk  
26 not less than fifteen days before the regular town meeting of said town;  
27 then the town clerk shall state in the notice of the annual town meeting  
28 that the legal voters of such town may vote by ballot for or against the  
29 payment of a poll-tax. And if a majority of all the ballots cast are against  
30 the payment of a poll-tax, then that part of this section which provides  
31 for the levying of a poll-tax shall no longer be in force in such town.

1. Introduced by Mr. Bassett, February 25, 1891, and ordered to first reading.
  2. First reading February 25, 1891, and referred to Committee on Judicial Department and Apportionment.
  3. Reported back March 27, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to amend sections one and two of "An act to regulate the foreclosure of chattel mortgages on household goods, wearing apparel and mechanics' tools," approved June 5, 1889, in force July 1, 1889.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one and two of "An act to regulate the foreclosure of chattel mortgages on household goods, wearing apparel and mechanics' tools," approved June 5, 1889, in force July 1, 1889, be and the same are amended so as to read as follows:

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no chattel mortgage on the necessary household goods, wearing apparel or mechanics' tools of any person or family shall be foreclosed except in a court of record. No such household goods, wearing apparel or mechanics' tools covered by a chattel mortgage shall be seized or be taken out of the possession of the mortgagor, except by a sheriff, and then only after the mortgagee or his agent shall present an affidavit to a judge of any court of record, setting forth that the mortgage is due, or that he is in danger of losing his security, giving the facts upon which he relies, and shall obtain an order from such judge directing such sheriff to seize such household goods, wearing apparel or mechanics' tools,

12 and hold them subject to the order of court: *Provided*, this act shall not  
13 apply to the foreclosure of chattel mortgages executed prior to the time this  
14 act shall take effect.

Section 2. No chattel mortgage executed by a married man or married  
2 woman on household goods shall be valid unless joined in by the husband  
3 or wife, as the case may be: *Provided*, that nothing herein shall apply to a  
4 mortgage given to secure purchase money for property purchased.

1. Introduced by Mr. Bassett, February 25, 1891, and ordered to first reading.
2. First reading February 27, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 27, 1891, passage recommended, and ordered to second reading.
4. Second reading April 14, 1891, action postponed until April 15, 1891.
5. Considered April 15, 1891, amended, and ordered to lie on the table.
6. Action reconsidered April 16, 1891, taken up, amended and ordered to a third reading.

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## A BILL

For an act to amend sections one and two of "An act to regulate the foreclosure of chattel mortgages on household goods, wearing apparel and mechanics' tools," approved June 5, 1889, in force July 1, 1889.

---

### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That sections one and two of "An act to regulate  
3 the foreclosure of chattel mortgages on household goods, wearing apparel  
4 and mechanics' tools," approved June 5, 1889, in force July 1, 1889, be and  
5 the same are amended so as to read as follows: "

### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That no chattel mortgage on the necessary house-  
3 hold goods, wearing apparel or mechanics' tools of any person or family  
4 shall be foreclosed except in a court of record. No such household goods,  
5 wearing apparel or mechanics' tools covered by a chattel mortgage shall be  
6 seized or be taken out of the possession of the mortgagor, except by a  
7 sheriff, and then only after the mortgagee or his agent shall present an affi-  
8 davit to a judge of any court of record, setting forth that the mortgage is  
9 due, or that he is in danger of losing his security, giving the facts upon

10 which he relies, and shall obtain an order from such judge directing such  
11 sheriff to seize such household goods, wearing apparel or mechanics' tools,  
12 and hold them subject to the order of court: *Provided*, this act shall not  
13 apply to the foreclosure of chattel mortgages executed prior to the time this  
14 act shall take effect.

Section 2. No chattel mortgage executed by a married man or married  
2 woman on household goods shall be valid unless joined in by the husband  
3 or wife, as the case may be: *Provided*, that nothing in this act shall apply  
4 to a mortgage given wholly for purchase money upon property purchased  
5 from the mortgagee at the time of giving such mortgage, and no recital in  
6 any such mortgage, to the effect that such mortgage is given for purchase  
7 money, shall estop the mortgagor to show that such mortgage was not in  
8 fact given for purchase money, and a false recital in such mortgage that  
9 such mortgage is given for purchase money shall wholly avoid the lien of  
10 such mortgage.



1. Introduced by Mr. Kerrick February 25, 1891, and ordered to first reading.
2. First reading February 25, 1891, and referred to Committee on Appropriations.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to make an appropriation for the ordinary and other expenses of the Illinois State Normal University at Normal.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That there be and is hereby appropriated to the State Normal University, in addition to one-half of the interest of the college and seminary funds which is hereby appropriated, the further sum of twenty-one thousand dollars per annum, payable quarterly in advance, for the payment of salaries, for the purchase of fuel, for additions to the library, for school apparatus, for furniture, for expenses of the Board of Education, and for incidental expenses: *Provided*, that the expenses of model school connected with and forming a part of said State Normal University shall be paid out of the receipts for tuition of pupils in said school, and not from the above appropriation or any part thereof.

2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid sums of money, upon the order of the Board of Education of the State of Illinois, signed

4 by the president and attested by the secretary of said board, with corporate  
5 seal of said institution: *Provided*, that satisfactory vouchers in detail, ap-  
6 proved by the Governor, shall be filed quarterly with the Auditor of Public  
7 Accounts for the expenditures, ordinary and extraordinary, of the preced-  
8 ing quarter, and that no part of the money herein appropriated shall be  
9 due and payable until such vouchers shall have been filed.

1. Introduced by Mr. Noonan February 25, 1891, and ordered to first reading.
2. First reading February 25, 1891, and referred to Committee on Judiciary.
3. Reported back April 17, 1891, and ordered printed for Committee.

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## A BILL

For an act to authorize corporations, not for pecuniary profit, to manage, care and provide for children who may be abandoned, neglected, destitute or subjected to perverted training.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That whenever it shall appear to any county court  
3 of this State that any child who may be brought before it has no parent,  
4 guardian or other person to bestow upon it ordinary and proper parental  
5 care; or that it is abandoned or entirely neglected or cruelly treated by the  
6 person or persons sustaining the parental relation to it; or that it has no  
7 proper parental care or guardianship; or that it is being trained, or allowed  
8 to be trained in vice and crime by the person or persons having charge of  
9 it; or that being in charge of no one, it is destitute and incapable of pro-  
10 viding for itself; such court may, in any case, by order, commit the cus-  
11 tody and care of any such child to any corporation, not for pecuniary profit,  
12 organized under the laws of this State, the objects of whose organization  
13 may embrace the purpose of caring for any such child, and which corpora-

tion may, in the judgment of such court, be competent and disposed to properly care and provide for such child.

§ 2. Any child so committed may, by such corporation, be kept or placed or put out in a home or family or institution in charge of any person or persons who may appear to be fit, competent and disposed to duly provide for and properly train it.

It shall be the duty of such corporation to keep a record of every child so placed and so far as practicable to see that such child be properly trained and provided for, and the officers and managers of such corporation shall have a supervising care over such child after it shall be so put out, to see that it shall be properly treated and cared for; and said officers and managers shall have power to reclaim any such child so put out, whenever in the judgment of the said officers and managers it shall be for the best interest of said child.

§ 3. Nothing in this act, or that may be done hereunder, shall prevent the laws upon the subject of adoption of children, in force, or that may be enacted in this State, being applied to the case of any such child. Nor shall anything herein contained, or that may be done hereunder, prevent the resumption of parental rights towards the child, should it be found that such parental rights can be resumed without endangering the morality or well being of such child.

1. Introduced by Mr. Chapman. February 25, 1891, and ordered to first reading.
2. First reading February 25, 1891, and referred to Committee on Insurance.
3. Reported back April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for a uniform contract or policy of fire insurance to be made and issued in this State by all insurance companies taking fire risks on property within this State.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the Auditor of Public Accounts shall prepare  
3 and file in his office on or before the fifteenth day of November, eighteen  
4 hundred and ninety-one, a printed form, in blank, of a contract or policy  
5 of fire insurance, together with such provisions, agreements or conditions,  
6 as may be indorsed thereon or added thereto and form a part of such  
7 contract or policy, and such form when filed shall be known and designated  
8 as the "Standard Fire Insurance Policy of the State of Illinois."

§ 2. On and after the first day of May, eighteen hundred and ninety  
2 two, no fire insurance company, corporation or association, their officers or  
3 agents shall make, issue, use or deliver for use, any fire insurance policy,  
4 or a renewal of any fire policy, or property in this State other than such as  
5 shall conform in all particulars as to blanks, size of type, context, provisions,  
6 agreements and conditions with the printed form of contract or policy filed  
7 in the office of the Auditor as provided for in the first section of this act.

8 and no other or different provision, agreement, condition or clause shall in  
9 any manner be made a part of said contract or policy, or be indorsed  
10 thereon, or delivered therewith, except as follows, to-wit:

11 First--The name of the company, its location and place of business, the  
12 date of its incorporation or organization, whether it is a stock or mutual  
13 company, the names of its officers, the number and date of the policy, and  
14 if it be issued through a manager or agent, the words "this policy shall not  
15 be valid until countersigned by the duly authorized manager or agent of  
16 the company at .....,," may be printed on policies issued on property  
17 in this State.

18 Second--Printed or written forms of description and specification, or  
19 schedules of the property covered by any particular policy, and any other  
20 matter necessary to clearly express all the facts and conditions of insurance  
21 on any particular risk (which facts or conditions shall in no case be incon-  
22 sistent with or a waiver of any of the provisions or conditions of the  
23 standard policy herein provided for) may be written upon, or attached or  
24 appended to any policy issued on property in this State.

25 Third--A company, corporation or association organized or incorporated  
26 under and in pursuance of the laws of this State or elsewhere, if entitled  
27 to do business in this State, may, with the approval of the Auditor of  
28 Public Accounts, if the same is not already included in the standard form  
29 to be filed in the office of the Auditor, as provided for in the first section  
30 of this act, print on its policies any provision which it is by law required  
31 to insert therein, if such provisions is not in conflict with the laws of this  
32 State or of the United States, or of the provisions of the standard form  
33 provided for herein, but said provision or provisions shall be printed apart  
34 from the other provisions, agreements or conditions of the policy under a  
35 separate title as follows: "Provisions required by law to be stated in this  
36 policy."

§ 3. Any insurance company, its officers or agents, or either of them,

2 violating any provision of this act by making, issuing, delivering or offer-  
3 ing to deliver any policy of fire insurance on property in this State, except  
4 as herein before provided, shall be guilty of a misdemeanor, and upon com-  
5 plaint made by the Auditor or by any citizen of this State shall upon con-  
6 viction thereof be punished by a fine of not less than twenty-five nor more  
7 than one hundred dollars for the first offense, and of not less than one  
8 hundred nor more than two hundred and fifty dollars for each subsequent  
9 offense; but any policy so made, issued and delivered shall notwithstanding  
10 be binding upon the company insuring the same.





1. Introduced by Mr. Chapman February 25, 1891, and ordered to first reading.
2. First reading February 25, 1891, and referred to Committee on Insurance.
3. Reported back April 2, 1891, passage recommended and ordered to second reading.
4. Second reading April 22, 1891, amended, and ordered to third reading.

---

## A BILL

For an act to provide for a uniform contract or policy of fire insurance to be made and issued in this State by all insurance companies taking fire risks on property within this State.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the Auditor of Public Accounts shall prepare  
3 and file in his office on or before the fifteenth day of November, eighteen  
4 hundred and ninety-one, a printed form, in blank, of a contract or policy  
5 of fire insurance, together with such provisions, agreements or conditions  
6 as may be indorsed thereon or added thereto and form a part of such  
7 contract or policy, and such form when filed shall be known and designated  
8 as the "Standard Fire Insurance Policy of the State of Illinois."

§ 2. On and after the first day of May, eighteen hundred and ninety-  
2 two, no fire insurance company, corporation or association, their officers or  
3 agents shall make, issue, use or deliver for use, any fire insurance policy, or  
4 a renewal of any fire policy on property in this State other than such as  
5 shall conform in all particulars as to blanks, size of type, context, provisions,  
6 agreements and conditions with the printed form of contract or policy filed

7 in the office of the Auditor as provided for in the first section of this act,  
8 and no other or different provision, agreement, condition or clause shall in  
9 any manner be made a part of said contract or policy, or be indorsed  
10 thereon, or delivered therewith, except as follows, to-wit:

11 **First**—The name of the company, its location and place of business, the  
12 date of its incorporation or organization, whether it is a stock or mutual  
13 company, the names of its officers, the number and date of the policy, and  
14 if it be issued through a manager or agent, the words "this policy shall not  
15 be valid until countersigned by the duly authorized manager or agent of  
16 the company at . . . . .," may be printed on policies issued on property  
17 in this State.

18 **Second**—Printed or written forms of description and specification, or  
19 schedules of the property covered by any particular policy, and any other  
20 matter necessary to clearly express all the facts and conditions of insurance  
21 on any particular risk (which facts or conditions shall in no case be incon-  
22 sistent with or a waiver of any of the provisions or conditions of the  
23 standard policy herein provided for) may be written upon, or attached or  
24 appended to any policy issued on property in this State.

25 **Third**—A company, corporation or association organized or incorporated  
26 under and in pursuance of the laws of this State or elsewhere, if entitled  
27 to do business in this State, may, with the approval of the Auditor of  
28 Public Accounts, if the same is not already included in the standard form  
29 to be filed in the office of the Auditor, as provided for in the first section  
30 of this act, print on its policies any provision which it is by law required  
31 to insert therein, if such provisions is not in conflict with the laws of this  
32 State or of the United States, or of the provisions of the standard form  
33 provided for herein, but said provision or provisions shall be printed apart  
34 from the other provisions, agreements or conditions of the policy under a

35 separate title, as follows: "Provisions required by law to be stated in this  
36 policy."

1 3. Any insurance company, its officers or agents, or either of them,  
2 violating any provisions of this act by making, issuing, delivering or offer-  
3 ing to deliver any policy of fire insurance on property in this State, except  
4 as hereinbefore provided, shall be guilty of a misdemeanor, and upon com-  
5 plaint made by the Auditor or by any citizen of this State shall upon con-  
6 viction thereof be punished by a fine of not less than twenty-five nor more  
7 than one hundred dollars for the first offense, and of not less than one  
8 hundred nor more than two hundred and fifty dollars for each subsequent  
9 offense; but any policy so made, issued and delivered shall, notwithstanding,  
10 be binding upon the company insuring the same.



1. Introduced by Mr. Chapman February 25, 1891, and ordered to first reading.
2. First reading February 25, 1891, and referred to Committee on Insurance.
3. Reported back April 2, 1891, passage recommended, and ordered to second reading.
4. Second reading April 22, 1891, amended, and ordered to third reading.

---

## A BILL

For an act to provide for a uniform contract or policy of fire insurance to be made and issued in this State by all insurance companies taking fire risks on property within this State.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the Auditor of Public Accounts shall prepare and file in his office on or before the fifteenth day of November, eighteen hundred and ninety-one, a printed form, in blank, of a contract or policy of fire insurance, together with such provisions, agreements or conditions as may be endorsed thereon or added thereto and form a part of such contract or policy, and such form when filed shall be known and designated as the "Standard Fire Insurance Policy of the State of Illinois."

§ 2. On and after the first day of May, eighteen hundred and ninety-two, no fire insurance company, corporation or association, their officers or agents shall make, issue, use or deliver for use, any fire insurance policy, or a renewal of any fire policy on property in this State other than such as shall conform in all particulars as to blanks, size of type, contexts, provisions, agreements and conditions with the printed form of contract or policy

7 filed in the office of the Auditor as provided for in the first section of this  
8 act, and no other or different provision, agreement, condition or clause shall  
9 in any manner be made a part of said contract or policy, or be indorsed  
10 thereon, or delivered therewith, except as follows, to-wit:

11 First --The name of the company, its location and place of business, the  
12 date of its incorporation or organization, whether it is a stock or mutual  
13 company, the names of its officers, the number and date of the policy, and  
14 if it be issued through a manager or agent, the words, "this policy shall  
15 not be valid until countersigned by the duly authorized manager or agent  
16 of the company at . . . .," may be printed on policies issued on property  
17 in this State.

18 Second Printed or written forms of description and specification, or  
19 schedules of the property covered by any particular policy, and any other  
20 matter necessary to clearly express all the facts and conditions of insurance  
21 on any particular risk (which facts or conditions shall in no case be incon-  
22 sistent with or a waiver of any of the provisions or conditions of the  
23 standard policy herein provided for) may be written upon, or attached or  
24 appended to any policy issued on property in this State.

25 Third A company, corporation or association organized or incorporated  
26 under and in pursuance of the laws of this State or elsewhere, if entitled  
27 to do business in this State, may, with the approval of the Auditor of  
28 Public Accounts, if the same is not already included in the standard form  
29 to be filed in the office of the Auditor, as provided for in the first section  
30 of this act, print on its policies any provision which it is by law required  
31 to insert therein, if such provisions are not in conflict with the laws of this  
32 State or of the United States, or of the provisions of the standard form  
33 provided for herein, but said provision or provisions shall be printed apart  
34 from the other provisions, agreements or conditions of the policy under a

35 separate title, as follows: "Provisions required by law to be stated in this  
36 policy."

37 Fourth Where two or more companies (each having previously complied  
38 with the law of this State) unite to issue a joint policy, there may be ex-  
39 pressed in the heading of such policy, the fact of the severalty of the  
40 contract, also the purpose of the premium to be paid to each company and  
41 the proportion of liability which each company agrees to assume. And in  
42 the printed conditions of such policy the necessary change may be made from  
43 the singular to the plural number, when reference is had to the companies  
44 issuing such policies.

§ 3. Any insurance company, its officers or agents, or either of them  
2 violating any provisions of this act by making, issuing, delivering or offer-  
3 ing to deliver any policy of fire insurance on property in this State, except,  
4 as hereinbefore provided, shall be guilty of a misdemeanor, and upon com-  
5 plaint made by the Auditor or by any citizen of this State shall upon con-  
6 viction thereof be punished by a fine of not less than twenty five nor more  
7 than one hundred dollars for the first offense, and of not less than one  
8 hundred nor more than two hundred and fifty dollars for each subsequent  
9 offense; but any policy so made, issued and delivered shall notwithstanding  
10 be binding upon the company insuring the same.





1. Introduced by Mr. Noonan February 26, 1891, and ordered to first reading.
2. First reading February 26, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments April 16, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making appropriations for the Illinois Charitable Eye and Ear Infirmary at Chicago.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there is hereby appropriated to the Illinois  
3 Charitable Eye and Ear Infirmary at Chicago:

4 For the removal of stairways in main hall and building iron stairway on  
5 back of building, one thousand dollars (\$1,000).

6 For furniture per annum, one thousand dollars (\$1,000).

7 For removal of bath-room, one thousand three hundred and fifty dollars  
8 (\$1,350).

9 For rotary oven, seven hundred and fifty dollars (\$750).

§ 2. The moneys herein appropriated shall be paid to the institution in  
2 the manner and upon the conditions now provided by law.

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### PROPOSED AMENDMENT TO SENATE BILL NO. 187 BY THE COMMITTEE ON APPROPRIATIONS.

Amend section 1 by striking out of line 9 the following words and figures:  
“for rotary oven, seven hundred and fifty dollars (\$750).



1. Introduced by Mr. Rickert, February 26, 1891, and ordered to first reading.
2. First reading February 26, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments March 4, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making an appropriation to enable the Commissioners of the Southern Illinois Penitentiary to keep employed a portion of the convicts now idle or without profitable employment in said penitentiary.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That the following amounts, or so much thereof as may be necessary, be and the same are hereby appropriated to the Southern Illinois Penitentiary for the purposes hereinafter named, and no other.

For two brick machines and necessary appliances, ten thousand dollars (\$10,000); for the necessary materials and the building of stone wall around the prison, 800 feet long and 24 feet high, eight thousand dollars (\$8,000); for necessary materials and the building of three brick kilns, seven thousand and five hundred dollars (\$7,500); for one stone crusher, three thousand five hundred dollars (\$3,500).

The moneys herein appropriated shall be due and payable to the Commissioners of the Southern Illinois Penitentiary, or their order, only on the terms now provided by law.

§ 3. Whereas, an emergency exists, therefore this act shall be in force from and after its passage and approval.

**PROPOSED AMENDMENT TO SENATE BILL NO. 188, BY THE COMMITTEE ON APPROPRIATIONS.**

**Amend by striking out the following words and figures in section 1, lines**  
**2 7 and 8, after the words and figures "ten thousand dollars (\$10,000)."**  
**3 "For the necessary materials and the building of stone wall around the**  
**4 prison, 800 feet long and 24 feet high eight thousand (\$8,000)."**

1. Introduced by Mr. O'Connor, February 26, 1891, and ordered to first reading.
2. First reading February 26, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back May 21, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act in relation to arbitration between employers and employees.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*: That in all cases where there is any difference or  
3 dispute between an employer and his employes in relation to any matter  
4 growing out of or connected with such employment upon which they can-  
5 not agree, either party may appoint an arbitrator and notify the other party  
6 in writing of such selection. And the other party shall within two days  
7 thereafter select an arbitrator. And in case of failure on the part of such  
8 party to select such arbitrator within said two days, then, on application to  
9 any judge of any court of record in the same county (except the judge of  
10 the county court) by the party who has appointed an arbitrator, and on  
11 proof of such failure by the other party, the said judge shall appoint such  
12 arbitrator. And as soon as the two arbitrators are appointed as provided  
13 above, they shall, together with the judge of the county court, constitute a  
14 board of arbitration, of which the county judge shall be chairman, to settle  
15 such difference or dispute. A majority of said board shall constitute a

16 quorum for the transaction of all business coming before it, and the decision  
17 of such majority shall be binding upon all parties concerned.

18 Railroad employees not operating trains shall come within this section, and  
19 as to railroad employees operating trains, proceedings may be begun and  
20 prosecuted under this act in any county through which the road may run  
21 and in which the company may have either its main office or the office of a  
22 division, and in which the employees have an organization or in which one  
23 fifth of them may reside. By operating trains is meant trains running over  
24 the road from one point to another and not local or yard work.

§ 2. The notice required to be given by the foregoing section shall, when  
2 given to the employees, be served as follows: If the employees have an organ-  
3 ization which, with their consent, acts in the premises, then by leaving a  
4 copy with the president and also with the secretary of such organization, or  
5 at their usual place of abode.

6 If the employees have no such organization but have appointed a commit-  
7 tee to represent them, then by leaving a copy with at least three members  
8 of such committee or at their usual place of abode.

9 If the employees have neither such organization or committee, then copy  
10 shall be given to or left at the usual place of abode of at least one-fourth of  
11 the employees, if there are less than forty, and one additional notice for  
12 every twenty-five men over forty, to be served on some employee as above  
13 provided. And where notice is to be given by employees to employer as above  
14 provided, it shall be signed by the like parties or proportion of employees, as  
15 above provided for serving notice on: *Provided*, that when proceedings have  
16 once begun, and either party has appointed or appeared by an agent or at-  
17 torney notice signed by or served on such agent or attorney shall be suf-  
18 ficient. Notice may be served on such agent or attorney shall be sufficient.  
19 Notice may be served on the employer by leaving copy with him at  
20 his office or place of business, or at his residence.

13. Appointment of arbitrators may be in the following form:

2. By Everyone, Be it known that \_\_\_\_\_ is hereby  
3. appointed arbitrator for the undersigned, under the laws of Illinois, to  
4. inquire into the matter in dispute between the undersigned and the em-  
5. ployes of the undersigned, now, or formerly working at (state kind of work)  
6. particularly as it relates to \_\_\_\_\_ (state subject of dispute).

7. Signed \_\_\_\_\_

8. By Everyone, Be it known that \_\_\_\_\_ is hereby  
9. appointed arbitrator, under the laws of Illinois, to act for the undersigned,  
10. representing \_\_\_\_\_ in a dispute with  
11. \_\_\_\_\_ (state employer's name) in relation to \_\_\_\_\_  
12. \_\_\_\_\_ (state subject of dispute)

13. Signed \_\_\_\_\_

14. \_\_\_\_\_

15. \_\_\_\_\_

16. \_\_\_\_\_

17. Such appointment by the employes may be signed by the same officials,  
18. committee, or proportion of employes named in section 2, as the persons on  
19. whom notice should be served on the part of the employes.

20. Each of said arbitrators, before entering on his duties, shall take the  
2. following oath, before a justice of the peace, or any officer authorized by  
3. law to administer oaths: "I, \_\_\_\_\_, do solemnly swear  
4. that I am a citizen of the United States, and of the State of Illinois; that I  
5. will support the constitution of the United States and the constitution of  
6. the State of Illinois; that I have no personal interest in the controversy be-  
7. tween \_\_\_\_\_ employer, and his employes, in which  
8. I have been selected to act as arbitrator; that I have no prejudices against  
9. either party in the case, and have no prejudices against either employers or em-  
10. ployes as a class; that I know of no reason why I should not act as arbitra-

11 tor; that I believe that I can give the whole matter a fair and impartial  
 12 examination and hearing, and that I will, as such arbitrator, act, examine and  
 13 decide fairly, impartially and to the best of my ability

14 Signed, .....

15 Subscribed and sworn to, etc.:"

§ 5. Said arbitrators, or a majority of them, as soon as they have thus  
 2 qualified, shall proceed without delay and without pleading, to inquire into  
 3 the subject matter of the dispute; each shall have power to administer  
 4 oaths, and a majority of them shall have power to send for such persons,  
 5 books and papers as in their judgment it may be necessary to examine, to  
 6 fully understand the matters which they are to investigate.

7 They may hold their meetings as in their judgment will be most conven-  
 8 ient for all concerned, may go upon the premises of the employer and exam-  
 9 ine machinery, buildings, the sanitary condition, and any other matter or  
 10 thing concerning which there is any dispute between said employer and his  
 11 employe.

12 Said board shall prosecute its investigations and conduct its business  
 13 without delay, and shall as soon as possible after the hearing render its  
 14 decision of all matters in dispute; and the decision of the majority shall be  
 15 considered the decision of the board. Said decision shall be in writing and  
 16 shall state fully the findings and judgment of the board, and a copy of  
 17 such decision shall be furnished the employer and one copy shall be fur-  
 18 nished the employes, and one copy shall be returned by said board to the  
 19 county clerk as hereinafter provided. If at any time during the investiga-  
 20 tion either party shall ask for a consultation with a view to compromising,  
 21 the board shall at once notify the other party and arrange a meeting, and  
 22 shall use its best endeavors to bring about a compromise or agreement; and  
 23 in case such agreement is effected the board shall reduce the same to  
 24 writing and shall give and return copies as in case of a decision



§ 6. If at any time an employer shall state to the board that he would be injured by having publicity given to any matter which the board may deem necessary to inquire into, then the inquiry as to such matters shall be conducted secretly, permitting no person to be present except such as the board may find it necessary to call in to explain things, or assist in order to fully ascertain the truth, but the person so called in shall be sworn to secrecy. And if such person or any member of the board shall divulge any such secret he shall be deemed guilty of a misdemeanor; but the board in making its decision shall consider the information thus obtained and act upon it, although it shall not give publicity to such information further than may be necessary.

§ 7. The arbitrators, having first given a copy of their decision to both employer and employes, shall return their appointment, their oath and a copy of their decision signed by them to the clerk of the county court of the county in which proceedings were begun, who shall file and preserve the same and shall spread the decision on the judgment records, for which latter service he shall be paid the fee allowed by law for recording, and no other fee shall be charged by him.

Said decision may be amended on notice at any time as to all points upon which it may be found to be informal, uncertain or defective. And it shall, from the time it is so filed or amended, without further notice operate as an injunction and restraining order for one year on both employer, his agents and foremen and employes as follows:

The employer shall stand enjoined from employing any other men until he has first given all of those who were employes at the beginning of the trouble an opportunity to resume work in accordance with or on the terms and conditions named in the decision of the arbitrators. But he need not wait longer than two full days after a copy of the decision has been given to both employer and employes for such old employes to present themselves

19 to go to work. After said two days he can employ whom he pleases, but  
20 shall not without new cause discharge any of the old employees who did  
21 return in said two days and fill their places with others, except as follows:

22 By giving them two weeks' notice in advance, he may discharge not to  
23 exceed one-tenth of his employees working in the same line, in any one  
24 month, and fill their places with new employees: *Provided, however,* that if  
25 he shall not start, or give the former employees an opportunity to resume  
26 work within said two days, and should desire to start thereafter, then be-  
27 fore employing any other persons to work in the same line, he shall give  
28 said former employees an opportunity to return to work on the terms and  
29 conditions specified in such decision, and for this purpose shall give ten  
30 ten days' notice as follows:

31 He shall post five written notices in public places in the neighborhood of  
32 his factory or establishment where the men are to go to work, and shall  
33 give a written notice to the officers of the organization of such employees, if  
34 they have one. Every violation of this act shall be deemed a violation of  
35 said injunction and shall be punishable accordingly, and shall also be and  
36 constitute a misdemeanor and be punishable under the criminal code.

37 The said former employees shall stand and be enjoined from interfering  
38 with, loitering around, or going upon the property or premises of the em-  
39 ployer, except on business; and all such employees as shall refuse to accept  
40 the decision of said arbitrators and to return to work in pursuance thereof  
41 shall stand enjoined from persuading, intimidating, annoying, molesting or  
42 interfering with any person or persons who may go to work or be em-  
43 ployed to work in pursuance of such decision. Any violation of these pro-  
44 visions shall be a violation of such injunction and be punishable accord-  
45 ingly, and shall be a misdemeanor and punishable under the criminal code.

§ 8. Said arbitrators shall be paid two dollars and fifty cents per day, in  
2 manner following: when returning their decision to the county clerk they

3 shall file an affidavit as to the number of days they have necessarily spent  
4 as such arbitrators, and said clerk shall thereupon issue each an order on  
5 the county treasurer in the manner that orders are issued to jurors and  
6 such orders shall be paid out of the county treasury in the same manner as  
7 jurors are paid



1. Introduced by Mr. Bacon, February 23, 1891, and ordered to first reading.
2. First reading February 26, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back with amendments March 6, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act requiring the speaker of the house of representatives of the General Assembly of Illinois to appoint and announce all standing committees within two weeks after his election as speaker, and amending section 4 of "An act to provide for the election and appointment of the officers and employes of the General Assembly of the State, and to fix their compensation."

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 2 of "An act to provide for the election and appointment of the officers and employes of the General Assembly of the State, and to fix their compensation," be amended so as to read The house of representatives of the General Assembly at their organization of each regular session of said house shall elect the following officers, viz.: A presiding officer of said house, whose duty it shall be to appoint and announce all standing committees within two weeks after his election as speaker, a chief clerk and three assistants, a door keeper and three assistants, a postmaster and one assistant.

§ 2. Whereas, the legislature of this State has been in session six weeks

2 and no committees have been appointed by the speaker, as should properly  
 3 have been done, therefore an emergency exists, and this act should go in  
 4 force from and after its passage.

**AMENDMENTS TO SENATE BILL No. 192, RECOMMENDED BY THE  
 COMMITTEE ON JUDICIAL DEPARTMENT AND APPORTIONMENT.**

Amend title so that it shall read as follows:

A bill for an act to amend section two (2) of an act entitled "An act to  
 2 provide for the election and appointment of the officers and employes of the  
 3 General Assembly of the State, and to fix their compensation," approved  
 4 May 28, 1877, in force July 1, 1877.

5 Amend section 1, by inserting after the word "compensation," in line  
 6 four (4) of the printed bill the following: "approved May 28, 1877, in force  
 7 July 1, 1877," also after the word "read" in same line insert the following.  
 8 "as follows: Section 2."

1. Introduced by Mr. Bacon, February 26, 1891, and ordered to first reading.
2. First reading February 26, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Referred back with amendments March 6, 1891, passage recommended and ordered to second reading.
4. Second reading March 24, 1891, amended and ordered to third reading.

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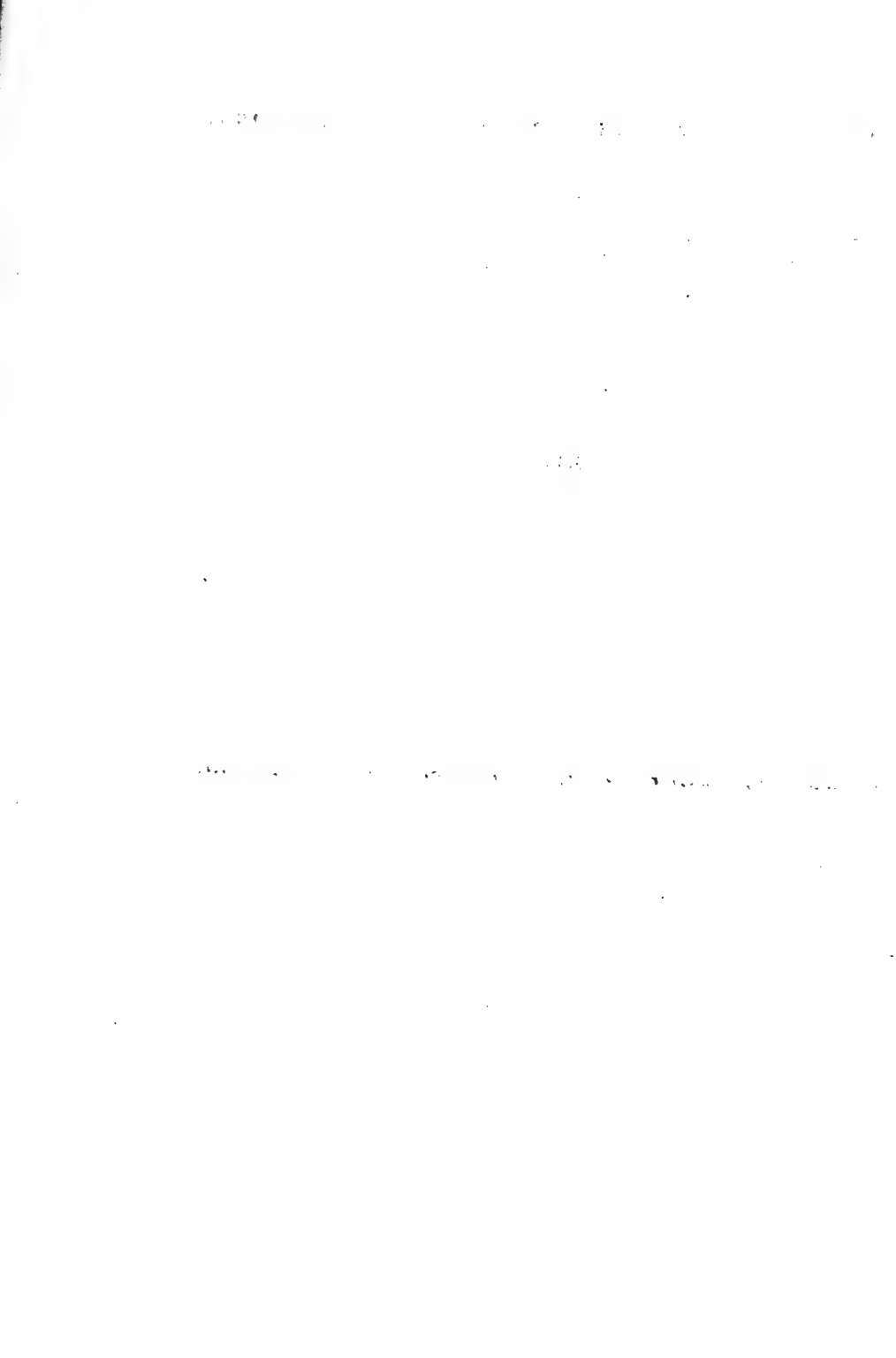
## A BILL

For an act to amend section two (2) of an act entitled "An act to provide for the election and appointment of the officers and employees of the General Assembly of the State, and to fix their compensation," approved May 28, 1877, in force July 1, 1877.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 2 of "An act to provide for the election and appointment of the officers and employees of the General Assembly of the State, and to fix their compensation," approved May 28, 1877, in force July 1, 1877, be amended so as to read as follows:

§ 2. The house of representatives of the General Assembly at their organization of each regular session of said house shall elect the following officers, viz.: A presiding officer of said house, whose duty it shall be to appoint and announce all standing committees within two weeks after his election as speaker, a chief clerk and three assistants, a door keeper and three assistants, a postmaster and one assistant.





1. Introduced by Mr. Thiele, February 26, 1891, and ordered to first reading.
2. First reading February 26, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back March 4, 1891, and ordered to be printed for the use of the Committee.

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## A BILL

For an act to regulate the rental and to fix the charges allowed for the use of telephones, and fixing a penalty for its violation.

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### SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *in the General Assembly.* That no individual, company or corporation, now  
3 or hereafter owning, controlling or operating any telephone line in opera  
4 tion in this State, shall be allowed to charge, collect or receive as rental  
5 for the use of such telephone any sum in excess of the following rates:

6 In cities having a population of one hundred thousand (100,000) inhabi-  
7 tants or more:

8 For telephones to be used by the lessee on his or her business and located  
9 in private residence seventy dollars (\$70.00) per annum.

10 For telephones to be used by the lessee on his or her business and located  
11 in stores, offices, hotels, manufactories, or in any other place of business  
12 eighty dollars (\$80.00) per annum.

13 For telephones which may be used by the lessee and by the public on  
14 the payment of a fee to the lessee, one hundred dollars (\$100.00) per  
15 annum.

16 In cities having a population of more than twenty-five thousand (25,000)  
17 and less than one hundred thousand (100,000) inhabitants:

18 For telephones located in business places forty-eight dollars (\$48.00) per  
19 annum.

20 For telephones located in private residences thirty-six dollars (\$36.00) per  
21 annum.

22 In cities, towns or villages having a population of less than twenty-five  
23 thousand (25,000) inhabitants:

24 For telephones located in business places or private residences thirty-six  
25 dollars (\$36.00) per annum: *Provided*, the word population in this section  
26 shall be held to mean the number of inhabitants as determined by the  
27 next preceding census of this State or of the United States.

§ 2. It shall be unlawful for any individual, company or corporation to  
2 charge or collect tolls from the lessee of a telephone or any other individual,  
3 firm or corporation for connecting a telephone for which a rental is charged  
4 or collected, with any other telephone, whenever the telephones thus con-  
5 nected are located within the corporate limits of the same city or village.

§ 3. Any individual, firm or corporation, operator, agent or other person  
2 who shall violate any provisions of this act, or who shall charge, collect  
3 or receive for the use of any telephone any sum in excess of the rate fixed  
4 by this act, shall be deemed guilty of a misdemeanor, and shall upon  
5 conviction thereof be fined in any sum not less than two hundred dollars  
6 (\$200.00) nor more than five hundred dollars (\$500.00) for the first offense;  
7 and for the second offense not less than five hundred dollars nor more than  
8 one thousand dollars (\$1,000.00); and for the third offense not less than one  
9 thousand dollars nor more than five thousand dollars (\$5,000.00); and for  
10 every subsequent offense and conviction thereof shall be liable to a fine of  
11 ten thousand dollars (\$10,000.00): *Provided*, that in all cases under this act  
12 either party shall have the right of trial by jury.

§ 4. The fines hereinbefore provided for may be recovered in an action  
2 of debt in the name of People of the State of Illinois; said action may be  
3 brought at the instance of the State's Attorney in the county in which

4 the offense was committed, or at the instance of any party aggrieved. If  
5 upon the trial of any case instituted under this act, the jury shall find for  
6 the People, they shall assess and return with their verdict the amount of  
7 the fine to be imposed upon the defendant at any sum not less than two  
8 hundred dollars nor more than five hundred dollars, and the court shall  
9 render such judgment accordingly. And if the jury shall find for the  
10 People, and also that the defendant has been once before convicted of a  
11 violation of this act, they shall return such finding with their verdict and  
12 shall assess and return with their verdict the amount of the fine to be  
13 imposed upon the defendant, at any sum not less than five hundred dollars  
14 nor more than one thousand dollars, and the court shall render judgment  
15 accordingly; and if the jury shall find for the People and also that the  
16 defendant has been twice before convicted of a violation of the provisions  
17 of this act, they shall return such finding with their verdict, and shall assess  
18 and return with their verdict the amount of the fine to be imposed upon  
19 the defendant at any sum not less than one thousand dollars nor more  
20 than five thousand dollars, and in like manner for every subsequent offense  
21 and conviction such defendant shall be liable to a fine of ten thousand  
22 dollars (\$10,000.00): *Provided*, that in all cases under the provisions of this  
23 act a preponderance of evidence in favor of the People shall be sufficient  
24 to authorize a verdict and judgment for the People.

§ 5. All fines recovered under the provisions of this act shall be paid  
2 into the school fund of the county in which the suit is tried, by the per-  
3 son collecting the same, to be used for school purposes.



1. Reported back April 17, 1891, and ordered to be printed for use of sub-committee.

REPORTS TO COMMITTEE ON LABOR AND MANUFACTURERS CONCERNING MR. THIELE'S TELEPHONE BILL.

*To the Honorable, the President of the Senate:*

The Committee on Labor and Manufacturers to whom was referred Senate Bill No. 193, being a bill for "An act to regulate the rental and fix the charges on telephones," etc., which was referred to a sub-committee, respectfully beg leave to report back sub-committee reports and recommend that they be printed for the use of the committee.

D. L. CUTLER, Clerk.

*To the Honorable, the Senate Committee on Labor and Manufactures:*

Your sub-committee to whom was referred Senate Bill No. 193, entitled "An act to regulate rentals and fix charges allowed for use of telephones, and fixing penalty," respectfully submit the following report thereon:

1. Upon a careful consideration of those portions of the bill relating to telephone charges in cities of less than 100,000 population, and after inquiry as to the present charges in such cities, the sub-committee were of the unanimous opinion that the present charges in such cities are not unreasonable, that the portions of the bill referred to are unnecessary and should not pass, and that all the material part of the bill is that relating to the regulation of telephone charges in the city of Chicago.

2. In considering the condition of telephone service in Chicago, the rates charged therefor, and the advisability of regulating the same at this time by statute, all the members of the sub-committee have visited the office of the Chicago Telephone Company in Chicago and examined the working of the system there in use, and have discussed at length with the president and superintendent of the company the whole state of the business, both as to its past and present condition and its immediate future needs. In the course of this discussion they have questioned the officers of the company carefully as to all the facts necessary to a full understanding of the subject, and have, as they believe, received frank and complete answers to all such questions. The information thus received and all the considerations bearing on the subject have been considered and discussed at length by the sub-committee in several meetings, and every effort has been made to reach a fair and deliberate conclusion.

In the examination of the business of the Chicago Telephone Company, the first fact arresting the attention of the committee was the surprising difference in the cost per subscriber of operating a large exchange like the one in Chicago and the cost per subscriber of operating a small exchange of say two to five hundred subscribers, such as may be found in any of the smaller cities of the State. This difference in cost arises from various causes, some of which can only be determined by a careful examination of the itemized accounts of the business, while others are evident to the most casual inspection. Thus for instance in an exchange of 200 subscribers a single operator can easily perform all the labor of making the necessary connections, and has during the greater portion of the business day a considerable amount of spare time; while in the Chicago exchange of 6,700 subscribers, one operator is able to handle the business of less than twenty subscribers, the whole number of operators actually employed at the switch board of the exchange being over 380. Again, the switch board such as is in use in small exchanges is a regular article of manu-

facture and sale and can be bought in sections accommodating fifty subscribers each, at \$125.00 per section, or \$2.50 per subscriber, while in the Chicago exchange a switchboard accommodating 5,000 subscribers has been put in place at a cost of substantially \$180,000.00, or \$36.00 for each subscriber. These examples are only illustrations of the fact that as the number of subscribers in an exchange increases beyond a certain small limit, the cost of apparatus and operation increases in a sort of geometrical ratio. We are aware that this is directly opposed to the general idea that it should be possible to operate a large number of telephones at a lesser price per telephone than a small number, an opinion which your committee shared before examining the subject; but when it is considered that each telephone line in an exchange must be susceptible of connection with every other line in the exchange, it is evident that the cost of apparatus and the number of operators required for the work must increase much more rapidly than the number of subscribers. This added cost of apparatus and operation is so great that no comparison of rates charged in small exchanges with those charged in Chicago and other large cities is of any value whatever in deciding what is a fair rate of charge in large exchanges.

The sub-committee further find that until about two years ago the telephone service in Chicago was carried on wholly by means of overhead wires, or what is known as the "aerial system," and that it was extremely unsatisfactory, both as to the time in which connections were secured and as to the transmission of speech over the wires. The presence of the overhead wires in the streets was found to be a serious obstruction and a constant danger in case of fire, and the city council by ordinance renewing the franchise of the company, required all wires within the city to be taken down and replaced by underground wires, the work of replacement to be carried on at a certain specified rate. At the same time the faults of the service already referred to, arising from the inadequacy of the operating force, and from the fact that the requirements of the business had gone beyond the character of apparatus used

by the company, had caused a general feeling of dissatisfaction among the patrons of the telephone company and the public in general in the city.

Under these circumstances it became necessary, not only to begin and prosecute the work of placing the wires underground, but also to wholly reorganize the office apparatus. It was therefore determined by the management of the company to begin at once the task of perfecting the service in both the particulars referred to and this work has already made material progress. During these two years the office apparatus has been greatly improved in many particulars, and notably by the addition of the perfected switch board already mentioned; and the ratio of switch board operators to the number of subscribers has been so increased as to greatly lessen the delays in connections. In addition to this, four miles of underground conduits were put down in 1889 and ten miles in 1890. All these conduits are so constructed and arranged that cables of conducting wires may be drawn into them as required by the demands of the service; and cables sufficient to accommodate the present business have already been inserted in them and are in practical and satisfactory operation. The result of the work already done is that the overhead wires have been removed from the streets of a considerable portion of the city and the character of the service has, according to the universal testimony, been greatly improved; and we are satisfied that it is the policy and intention of the company to continue these improvements until the whole city district is provided with underground wires and the quality of service is up to the highest standard known in the business. The number of miles of conduit put down and wired by the company during the past two years is far in excess of the amount required by the city ordinance referred to, and we believe that the work will be done as rapidly as possible as a means of securing good service and at a rate determined by the needs of the business and the resources of the company, and not limited by the requirements of the ordinance.

The cost of the underground work done by the company in the year 1890



was slightly in excess of \$500,000.00, the money required for the work having been borrowed from time to time as the work progressed, and the loans thus made repaid from the proceeds of an issue of stock of \$500,000.00, made January 1, 1891. The capital stock of the company up to January 1, 1891, was \$1,250,000.00 and the dividends for the year 1890 were declared on this amount of capital stock, although the improvements made by the expenditure of the \$500,000.00 already referred to were completed before the end of the year. The plans of the company, as laid before the sub-committee by the president and the superintendent, contemplate the investment of a further sum of \$500,000.00 during the present year, and of still other and larger sums in the immediate future; and it is the belief of the committee that the work done in 1890 is only the first step in the completion and perfection of a system covering the entire city of Chicago and involving the expenditure of not less than \$3,000,000.00. The increase in the capital stock of the company last year was 40 per cent., while the increase of the number of subscribers in the Chicago exchange was about 700, or 12 per cent. of the average number in the exchange during the year. The per centage of increase of the invested capital of the company was therefore three times as great as the per centage of increase of the business; and your committee believe from all the information in their possession that the capitalization and actual investment of the company must continue to increase much more rapidly than its business and its profits during the next two years at least, and that the per centage of profit upon the invested capital must decrease rapidly from year to year, even if the rates of charge for services be maintained at the present figures.

The net earnings and dividends of the company have heretofore been much larger than those derived from equal investments in ordinary lines of business, and had it been possible for the company to furnish satisfactory service through the use of overhead wires and of such apparatus as has until recently been in use, the annual dividends of the company could undoubtedly

have been maintained at figures which your committee would consider excessive and exorbitant. The investment of last year has, however, had the natural effect of materially decreasing the percentage of the net earnings of the company on its invested capital, and large subsequent investments most necessarily further decrease such percentage of profit. This being the case, your committee believe that without the interference of the Legislature the profits of the company must very shortly reach substantially the level of the returns of ordinary business investments. If this be true, it is evident that any reduction of rates through legislative interference would seriously hinder if not wholly prevent the obtaining of the necessary capital to make the improvements embraced in the plans of the company as explained by the president and superintendent of the company. And as the committee consider the improvement and perfection of telephone service in Chicago of much more importance than a slight reduction upon the annual rate paid by each telephone subscriber, they believe that any action on the part of the legislature tending to hinder or prevent such improvements would be a serious injury to the business public of Chicago, and particularly to the telephone subscribers. While this consideration should be of great weight at any time, it is of special importance at this particular time when the telephone company is about to be called upon, not only to provide for the ordinary business of the city, but also to furnish the greatly increased facilities necessary to meet the demands growing out of the world's exposition and the immense volume of business necessarily attendant upon it.

For the purpose of comparison it may be stated that the rates now charged in Chicago are as low as those of any city in the United States of anything like the same area and population, and that in New York and Boston, the only large cities in which the underground service like that now in construction in Chicago is used, the rates charged for such underground service are considerably higher than those charged in Chicago, the annual rate in Boston being

\$150.00 per telephone, and in New York, \$250.00 per telephone. While your committee do not regard these figures as conclusive they are cited as showing that in cities where such underground work has been completed and put into general operation it has been found necessary to charge much higher rates for the service afforded than for service on overhead lines whose cost is very much less than that of underground lines.

It may be that at some future time, when the entire city of Chicago has been supplied with a perfect underground system, the profits of the business on the capital then invested will still be so large as to be the proper subject of legislative interference; but at this time, when immense investments have still to be made, your committee believe that such interference would be unwise, impolitic and against the best interests, not only of the general public in Chicago, but of the patrons of the Chicago Telephone Company. We therefore recommend that the bill under consideration be adversely reported, and that no bill in relation to the rates charged for telephone service in the State of Illinois be passed at this session.

Respectfully submitted,

THOS. F. CRAWFORD.

ROBT. H. WILES.

A. J. O'CONNOR.

PERRY ANDERSON.

*To the Committee on Labor and Manufactures:*

Your sub-committee to whom was referred Senate Bill No. 193, for "An act to regulate the rental and to fix the charges allowed for the use of telephones and fixing a penalty for its violation", respectfully report:

In cities having a population of less than one hundred thousand (100,000) inhabitants your committee agree that the charges are reasonable. But in cities having more than one hundred thousand inhabitants your committee are unable to agree, consequently this minority report is submitted.

We find by the statement made by the Chicago Telephone Co., that last year they had six thousand two hundred (6200) subscribers for which they received in rental the sum of eight hundred thousand dollars (\$800,000), of which four hundred and twenty-five thousand dollars (\$425,000), were expended for services rendered, and the balance, three hundred and seventy-five thousand dollars (\$375,000), was paid to the stockholders as dividends. Which is a net profit of sixty dollars (\$60.00) upon each telephone. Assuming that the above statement as made by the Chicago Telephone Co., which was not accompanied by satisfactory proof or affidavits, is correct.

We believe that the profits as compared with the earning power of capital in other branches of trade are exorbitant and a fit subject for legislation. We respectfully call attention to the fact that the Chicago Telephone Company admits that nearly one-half the money received by it from subscribers goes to the shareholders in the shape of dividends, and that each subscriber in cities of over one hundred thousand inhabitants yields far more in clear profit to the telephone company than the subscriber in smaller towns pays for the use of his telephone.

The opponents of telephone legislation insist that the higher charges in large cities are partly necessitated by the great expense of laying underground wires. It is well to bear in mind in this connection that the city ordinance of 1889, under which the Chicago Telephone Company operates, provides for laying underground two miles of wire each year, but that the company has already, since the passage of the ordinance, placed underground 14 miles of wire.

In conclusion we desire to state that the capitalization of the telephone

company last year was \$1,250,000, and we submit to your candid consideration the question whether or not \$375,000 is a fair dividend for this amount of capital.

Respectfully submitted,

H. MANECKE.



1. Introduced by Mr. Bassett February 27, 1891, and ordered to first reading.
2. First reading February 27, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 27, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to amend section four (4) of "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by act approved June 16, 1887, in force July 1, 1887.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section four (4) of an act entitled "An act to  
3 revise the law in relation to mortgages of real and personal property,"  
4 approved March 26, 1874, in force July 1, 1874, as amended by act approved  
5 June 16, 1887, in force July 1, 1887, be and the same is hereby amended so  
6 as to read as follows:

Section 4. Such mortgage, trust deed or other conveyance of personal  
2 property, acknowledged as provided in this act, shall be admitted to record  
3 by the recorder of the county in which the mortgagor shall reside at the  
4 time when the instrument is executed and recorded, or in case the mort-  
5 gator is not a resident of this State, then in the county where the property  
6 is situated and kept, and shall thereupon, if bona fide, be good and valid  
7 from the time it is filed for record until the maturity of the entire debt or  
8 obligation, *or extension thereof made as hereinafter specified: Provided,* such  
9 time shall not exceed two years, *from the filing of the mortgage,* unless  
10 within thirty days next preceding *the expiration of such two years,* or if

11 the said debt or obligation matures within such two years, then within  
12 thirty days next preceeding the maturity of said debt or obligation the  
13 mortgagee, his agent or attorney shall file for record in the office of the  
14 recorder of deeds of the county where the original mortgage is recorded  
15 also with the justice of the peace, or his successor, upon whose docket the  
16 same was entered, an affidavit setting forth particularly the interest which  
17 the mortgagee has by virtue of such mortgage in the property therein men-  
18 tioned, and if such mortgage is for the payment of money, the amount re-  
19 maining unpaid thereon, and the time when the same will become due by  
20 extension or otherwise; which affidavit shall be recorded by such recorder  
21 and be entered upon the docket of said justice of the peace, and thereupon  
22 the mortgage lien originally acquired shall be continued and extended for  
23 and during the term of two years from the filing of such affidavit, or until  
24 the maturity of the indebtedness or extension thereof secured by said mort-  
25 gage: *Provided*, such time shall not exceed two years from the date of  
26 filing such affidavit.



1. Introduced by Mr. Bassett February 27, 1891, and ordered to first reading.
2. First reading February 27, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 27, 1891, ~~passed~~ recommended and ordered to second reading.
4. Second reading April 16, 1891, amended and ordered to a third reading.

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## A BILL

For an act to amend section four (4) of "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by act approved June 16, 1887, in force July 1, 1887.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section four (4) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by act approved June 16, 1887, in force July 1, 1887, be and the same is hereby amended so as to read as follows:

Section 4. Such mortgage, trust deed or other conveyance of personal property, acknowledged as provided in this act, shall be admitted to record by the recorder of the county in which the mortgagor shall reside at the time when the instrument is executed and recorded, or in case the mortgagor is not a resident of this State, then in the county where the property is situated and kept, and shall thereupon, if bona fide, be good and valid from the time it is filed for record until the maturity of the entire debt or

8 obligation, or extension thereof made as hereinafter specified: *Provided*, such  
9 time shall not exceed two years, from the filing of the mortgage, unless  
10 within thirty days next preceding the expiration of such two years, or if  
11 the said debt or obligation matures within such two years, then within  
12 thirty days next preceding the maturity of said debt or obligation the mortgagor  
13 and mortgagee, his or their agent or attorney shall file for record in the office of  
14 the recorder of deeds of the county where the original mortgage is recorded,  
15 also with the justice of the peace, or his successor, upon whose docket the  
16 same was entered, an affidavit setting forth particularly the interest which  
17 the mortgagee has by virtue of such mortgage in the property therein men-  
18 tioned, and if such mortgage is for the payment of money, the amount re-  
19 maining unpaid thereon, and the time when the same will become due by  
20 extension or otherwise; which affidavit shall be recorded by such recorder  
21 and be entered upon the docket of said justice of the peace, and thereupon  
22 the mortgage lien originally acquired shall be continued and extended for  
23 and during the term of two years from the filing of such affidavit, or until  
24 the maturity of the indebtedness or extension thereof secured by said mort-  
25 gage: *Provided*, such time shall not exceed two years from the date of  
26 filing such affidavit.

1. Introduced by Mr. Noonan March 3, 1891, and ordered to first reading.
2. First reading March 3, 1891, and referred to Committee on License and Miscellany.
3. Reported back April 15, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to authorize the appointment of a commission to investigate and report to the Legislature the most humane and approved method of carrying into effect the sentence of death in capital cases, and whether the death penalty is necessary for the proper protection of society.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the Governor is hereby authorized and directed to appoint a commission to consist of three persons, to investigate and report to the Legislature of the State of Illinois, on or before the fourth Tuesday of January, eighteen hundred and ninety-three, the most humane and practical method known to modern science of carrying into effect the sentence of death in capital cases, and also whether in their opinion the death penalty is necessary for the protection of society, together with the statistics and facts upon which such opinion is based.

§ 2 Such report as to the method of inflicting the penalty of death in capital cases shall be in detail, accompanied by drawings and specifications of any appliance recommended by such commission for that purpose, together with the cost of construction and maintenance and probable durability.



1. Introduced by Mr. Knopf, March 3, 1891, and ordered to first reading.
2. First reading March 3, 1891, and referred to Committee on License and Miscellany.
3. Reported back March 26, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 1 of an act entitled "An act to amend sections one (1) to six (6) inclusive, and section fifteen (15) of an act entitled "An act to encourage the propagation and cultivation, and to secure the protection of fishes in all the waters of this State," approved May 31, 1887, in force July 1, 1887, and to provide for the enforcement of the provisions of this act, approved June 3, 1889, in force July 1, 1889.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 1 of an act entitled "An act to amend sections one (1) to six (6) inclusive, and section fifteen (15) of an act entitled "An act to encourage the propagation and cultivation, and to secure the protection of fishes in all the waters of this State," approved May 31, 1887, in force July 1, 1887, and to provide for the enforcement of the provisions of this act, approved June 3, 1889, in force July 1, 1889, be and the same is hereby amended so as to read as follows:

Section 1. That no person shall place or cause to be placed or erected any seine, weir, net, fish-dam, or other obstruction in or across any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous or other water or water-courses, wholly within or running through this State, in such manner

5 ~~as~~ shall obstruct the free passage of fish up and down or through such  
6 water or water-courses; and it shall be unlawful for any person to catch or  
7 take fish, except minnows for bait, with any device or means than a hook  
8 and line, within one-half mile of any dam constructed across any of the  
9 rivers or creeks or other water-courses wholly within or running through  
10 this State: *Provided*, that it shall be unlawful for any person or persons  
11 at any time to catch or kill any fish in any of the rivers, creeks, ponds,  
12 lakes, sloughs, bayous or other water-courses within the jurisdiction of this  
13 State, by use of line, spear, acid, medical or chemical compound or explo-  
14 sive: *And provided, further*: that it shall be unlawful for any person or per-  
15 sons to catch or kill any fish in or upon any of the lakes lying wholly  
16 within the jurisdiction of this State, while such lakes are covered with ice,  
17 with any device or means from the first day of December to the first day  
18 of March in each and every year.

1. Introduced by Committee on Judiciary March 4, 1891, and ordered to first reading.
2. First reading March 4, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to revise the law in relation to attorneys and counselors," approved March 28, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That the act entitled "An act to revise the law in relation to attorneys and counselors," approved March 28, 1874, and in force July 1, 1874, be and the same is hereby amended by adding thereto one additional section, which said additional section shall be designated as section 102½, and shall read as follows:

Section 102½. No judge of any county court or probate court in this State shall be permitted to appear and practice as an attorney and counsellor in any circuit court or other court of like jurisdiction in this State, either for the plaintiff or defendant in any action at law, suit in chancery or other proceeding when the said action, suit or proceeding is pending in said circuit court or other court of like jurisdiction, on appeal or change of venue from the county court or probate court over which such judge presides. And no judge of any such county court or probate court shall be permitted to practice as an attorney and counsellor for either party plaintiff or defendant in any action at law, suit in chancery or other proceedings at law or in equity for the partition of any lands of any deceased person whose

12 estate is being or has been administered upon in the county court or pro-  
13 bate court over which such judge presides, nor in any action at law, suit  
14 in chancery or other proceeding in any circuit court or other court of like  
15 jurisdiction in this State, when such action, suit or proceeding grows out of,  
16 directly or indirectly, the settlement of the estate of any deceased person  
17 insolvent person, infant or insane person, idiot, drunkard or spendthrift, or  
18 any proceeding in relation thereto, in the court over which such judge  
19 presides. And it is hereby made the duty of the judges of all circuit  
20 courts or other courts of like jurisdiction in this State to enforce this act.



1. Introduced by Mr. Sheridan, March 4, 1891, and ordered to first reading.
2. First reading March 4, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back March 27, 1891, passage recommended, and ordered to second reading.

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## A BILL

an act to amend section five (5) of "An act to indemnify the owners of sheep in cases of damage committed by dogs," approved May 29, 1879, in force July 1, 1879.

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SECTION 5. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no person having sheep killed or injured, as aforesaid, shall be entitled to receive any portion of the funds herein provided for, unless he shall appear before some officer in the county authorized by law to administer oaths, within three days from the time when such injury or damage is discovered, and make affidavit before such officer, stating the number of sheep killed or injured, that the name of the owner or keeper of the dog or dogs which destroyed or injured the applicant's sheep is or are unknown, or if known, then stating the name, and that such owner or keeper is insolvent, and that the applicant has received no compensation from the owner or keeper, or any other person, for the damage sustained; and thereupon the said applicant shall file with the county treasurer in counties not under township organization, and in counties under township organization with the supervisor of the town in which such sheep were injured or destroyed, within ten (10) days thereafter, and, when so

16 filed, shall be sufficient evidence of loss or damage by dogs as aforesaid, and  
17 the said county treasurer or supervisor of the town shall find the damages  
18 sustained at three times the average assessed value of applicant's sheep as  
19 shown by the return of his last assessment of record, and shall enter judg-  
20 ment in his favor for such amount, and the license fund as aforesaid shall  
21 be paid out thereupon on the first Monday of March in each year, as here-  
22 inbefore provided.

1. Introduced by Mr. Kerrick, March 4, 1891, and ordered to first reading.
2. First reading March 4, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back March 27, 1891, passage recommended, and ordered to Committee on Appropriations.
4. Reported back April 24, 1891, and ordered to second reading.

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## A BILL

For an act to make an appropriation for a training school building for the practice department of the Illinois State Normal University.

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SECTION 1 *Be it enacted by the People of the State of Illinois represented*

2 *in the General Assembly.* That there be, and hereby is, appropriated to the  
3 State Normal University, the sum of twenty-five thousand dollars for the  
4 erection and equipment of a building to be used in giving to the students  
5 of said State Normal University practice in the work of instructing chil-  
6 dren.

§ 2. The Auditor of Public Accounts is hereby authorized and required  
2 to draw his warrant upon the Treasurer for the aforesaid sum of money,  
3 upon the order of the Board of Education of the State of Illinois, signed  
4 by the president and attested by the secretary of said board, with the cor-  
5 porate seal of said institution.



**37th Assem.**

**HOUSE.**

**June 1891**

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**AMENDMENT TO SENATE BILL No. 206—IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

Amend line 3 of section 1 of the printed bill by striking out the words "twenty-five" and inserting in place thereof the word "eighteen."



1. Introduced by Judiciary Committee March 5, 1891, and ordered to first reading.
2. First reading March 5, passage recommended, and ordered to second reading.

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## A BILL

For an act ceding to the United States of America exclusive jurisdiction over certain structures, lands, streets and alleys in the county of Rock Island, State of Illinois, and authorizing and confirming the conveyance of the same by the city of Rock Island to it.

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### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That exclusive jurisdiction over the following de-

3 scribed structures and lands in the county of Rock Island, State of Illinois,

4 be and is hereby ceded to the United States of America, viz.:

5 First. Over that portion of the Rock Island bridge across the Mississippi

6 river, connecting the island of Rock Island with the city of Davenport,

7 Iowa, which is south of the middle of the main channel of said river.

8 Second. Over the whole of Rock Island wagon bridge, which connects

9 the island of Rock Island with the city of Rock Island, Illinois.

10 Third. Over the plat of ground occupied by the abutments and wagon

11 approach to the Rock Island wagon bridge, and particularly described in

12 the deeds filed in the office of the clerk of the circuit court of Rock Island

13 county, Illinois, conveying said premises to the United States of America.

14 Fourth. Over the plat of ground which may be acquired by the United

15 States as a site for a viaduct, and approach thereto, from the south end of

the Rock Island wagon bridge, between the island of Rock Island and the city of Rock Island, over the railroad tracks which adjoin the approach to said bridge and the north line of Third avenue in said city of Rock Island, described as follows, to-wit:

Commencing at the intersection of the north line of lot five (5), block two (2), in Bailey & Boyle's addition to said city of Rock Island, with the north and south section line between sections thirty-five (35) and thirty-six (36), in township eighteen (18), north range two (2), west of the fourth principal meridian; thence south along said section line thirteen (13) feet; thence in a southeasterly direction along the southerly line of the right of way of the Chicago & Rock Island Railroad Company, now the Chicago, Rock Island & Pacific Railway Company thirty-three (33) feet seven and one-half (7½) inches, to a point on said south line of said right of way, which is thirty (30) feet nine (9) inches at right angles east of said section line; thence south parallel with and thirty (30) feet and nine (9) inches east of said section line, two hundred and ninety-five feet (295) feet and nine (9) inches; thence west at right angles fifty (50) feet; thence north parallel with and nineteen (19) feet three (3) inches west of said section line, through lots six (6) and five (5) in said block two (2) and the alley lying between said lots, three hundred and twenty (320) feet to a point in north line of said lot five (5); thence east along north line of said lot five (5), nineteen (19) feet three (3) inches to place of beginning.

Also that certain other tract that lies between the tract last hereinabove described and the south end of the United States wagon bridge, now located and existing across south branch of the Mississippi river at city of Rock Island aforesaid and fifty (50) feet in width, being twenty five (25) feet on either side of the axis or center line of said wagon bridge if said axis were produced in a straight line in a southwesterly direction to the north end of the tract last hereinabove described, all situated in county of Rock Island and State of Illinois: *Provided*, that this act shall not be held



46 or construed to add to, diminish or prejudice any rights or privileges now  
47 held by any railroad or street railway company to use the lands so acquired  
48 and held for the purpose of their right of way, tracks and business.  
49 *And provided further,* that there is reserved to this State a concurrent  
50 jurisdiction for the execution, upon all said lands, or in or on the struc-  
51 tures erected thereon, of all process, civic or criminal, lawfully issued by  
52 the courts of the State and not incompatible with this cession.

1 2. The City of Rock Island is hereby authorized and empowered to  
2 convey to the United States of America any or all of the aforesaid lands  
3 described in section one hereof, whereof it may be seized and possessed,  
4 including any and all streets or alleys which may be therein contained, and  
5 all title, authority and control over the same, and any cession or convey-  
6 ance to the United States of America of any of the aforesaid land and title,  
7 authority and control thereover, including any and all streets or alleys here-  
8 tofore made by the city of Rock Island, is hereby confirmed and ratified.



1. Introduced by Mr. Secrest March 5, 1891, and ordered to first reading.
2. First reading March 5, 1891, and referred to Committee on Appropriations.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act making an appropriation to defray the expenses of a joint committee to visit and investigate the prisons of this and other States.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That there be and is hereby appropriated to W. G.  
3 Cochran, Thomas E. Merritt and Edward L. McDonald the sum of twenty  
4 dollars each, to Benjamin F. Sheets two hundred and thirty-three dollars,  
5 and to the estate of James H. Miller two hundred and thirty-three dollars,  
6 making an aggregate of five hundred and twenty-six dollars, to defray their  
7 expenses as a committee appointed by the 36th General Assembly "to visit  
8 and investigate our own prisons and the prisons and prison systems of  
9 other States," and to report to the present General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his  
2 warrant on the State Treasurer for the sums specified in this act.



1. Introduced by Mr. Secrest, March 5, 1891, and ordered to first reading.
2. First reading March 5, 1891, and referred to Committee on Appropriations.
3. Reported back April 24, 1891, passage recommended, and ordered to second reading.
5. Second reading April 9, 1891, amended, and ordered to third reading.

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## A BILL

For an act making an appropriation to defray the expenses of a joint committee to visit and investigate the prisons of this and other States.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there be and is hereby appropriated to W. G. Cochran, Thomas E. Merritt and Edward L. McDonald the sum of twenty dollars each, to Benjamin F. Sheets two hundred and thirty-three dollars, and to the estate of James H. Miller five hundred and eighteen dollars, making an aggregate of eight hundred and eleven dollars, to defray their expenses as a committee appointed by the 36th General Assembly "to visit and investigate our own prisons and the prisons and prison systems of other States," and to report to the present General Assembly.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer for the sums specified in this act.



1. Introduced by Mr. Humphrey, March 5, 1891, and ordered to first reading.
2. First reading March 5, 1891, and referred to Committee on License and Miscellany.
3. Reported back March 26, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to prevent deception in the manufacture and sale of articles of gilded ware.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no manufacturer of any article, which is in whole or in part covered with gilt or gilding, shall sell or dispose of any such article without branding or labeling his name and place of business thereon, in legible and durable letters, and also the words "Gold leaf gilt" in case the gilt or gilding on such article is all genuine gold leaf gilt or gilding, or the words "Imitation gilt" in case the gilt or gilding on such article is not all genuine gold leaf gilt or gilding. Whoever violates the provisions of this section is guilty of a misdemeanor, and shall be punished for each offense by a fine of not less than fifty dollars, or more than two hundred dollars, or by imprisonment of not less than ten days or more than sixty days, or by both such fine and imprisonment.

§ 2. No person shall sell, or offer, or expose for sale any article, which is in whole or in part covered with gilt or gilding, unless said article shall be distinctly and durably branded or labeled with the name and place of business of the manufacturer thereof and the words "Gold leaf gilt" in

5 case the gilt or gilding on such article is all genuine gold leaf gilt or gild-  
6 ing, or the words "Imitation gilt" in case the gilt or gilding on such article  
7 is not all genuine gold leaf gilt or gilding.

8 Whoever violates the provisions of this section shall be guilty of a mis-  
9 demeanor and shall be punished by a fine of not less than twenty-five  
10 dollars nor more than two hundred dollars, or by imprisonment for not less  
11 than ten days nor more than sixty days, or by both such fine and imprisonment  
12 for the first offense, and by two months imprisonment for each subsequent  
13 offense.



1. Introduced by Mr. Bogardus, March 5, 1891, and ordered to first reading.
2. First reading March 5, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back March 26, and ordered to be printed for Committee.

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## A BILL

For an act for the appointment of a food commissioner for the State of Illinois.

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***Section 1. Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly,* That the Governor shall appoint a commissioner,  
3 who shall be a chemist, known as the State food commissioner, and who  
4 shall hold his office for a term of two (2) years, or until his successor is ap-  
5 pointed, and shall receive a salary of two thousand dollars (\$2,000)  
6 per annum, and his necessary expenses incurred in the discharge of his  
7 duties under this act, and shall be charged, under the direction of the  
8 Governor, with the enforcement of the various provisions thereof. Said  
9 commissioner may be removed from office at the pleasure of the Governor,  
10 and his successor appointed as above provided for. The said commissioner is  
11 hereby authorized and empowered to appoint a secretary and such assistant  
12 commissioners, and to employ such experts, chemists, agents, and such counsel  
13 as may be deemed by him necessary for the proper enforcement of this law,  
14 their compensation to be fixed by the commissioner. The sum of ten thou-  
15 sand dollars (\$10,000) annually is hereby appropriated, to be paid for such  
16 purposes out of the moneys in the treasury not otherwise appropriated.  
17 All charges, accounts and expenses authorized by this act shall be paid by  
18 the Treasurer of the State upon the warrant of the State Auditor. The

19 entire expenses of said commissioner shall not exceed the sum appropriated  
20 for the purpose of this act.

21 The said commissioner shall make biennial reports to the legislature not  
22 later than the first (1st) day of January, of his work and proceedings, and  
23 shall report in detail the number of assistant commissioners, experts, chem-  
24 ists, agents and counsel he has employed, with their expenses and disburse-  
25 ments. The said commissioner shall have a room in the capitol, to be set  
26 apart for his use by the Governor.

§ 2. The said commissioner and assistant commissioners, and such ex-  
2 perts, chemists, agents and counsel ~~which~~ they shall duly authorize for the pur-  
3 pose shall have access, ingress and egress to all places of business, facto-  
4 ries, farms, buildings, carriages, cars and vessels used in the manufacture  
5 and sale of any vinegar or ~~food product~~ or any imitations thereof. They  
6 also shall have power and authority to open any package, car or vessel con-  
7 taining such articles, which may be ~~used for~~ ~~transported~~ ~~for~~ ~~export~~ ~~for~~ sale  
8 in violation of the provisions of this act, and may inspect the contents  
9 therein, and may take samples therefrom for analysis. All clerks, book-  
10 keepers, express agents, railroad officials, employees, or common carriers,  
11 shall render to them all the assistance in their power, when so requested,  
12 in tracing, finding or discovering the presence of any article named in this  
13 act. Any refusal or neglect on the part of such clerks, bookkeepers, ex-  
14 press agents, railroad officials, employees, or common carriers, to render such  
15 friendly aid, shall be deemed a misdemeanor, and be punished by a fine of  
16 not less than fifty dollars (\$50) nor more than one hundred dollars (\$100)  
17 for each and every offense.

§ 3. All fines collected under this act shall be paid into the State  
2 treasury.

- 
1. Introduced by Mr. Arnold March 5, 1891, and ordered to first reading.
  2. First reading March 5, 1891, and referred to Committee on Penal and Reformatory Institutions.
  3. Reported back with amendments May 7, 1891, and referred to Committee on Appropriations.
  4. Reported back with amendments May 20, 1891, and ordered to second reading.
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## A BILL

For an act making appropriation for repairs and improvements in the Illinois State Penitentiary, at Joliet.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

- in the General Assembly,* That the following sums be and the same are hereby appropriated for the Illinois State Penitentiary, at Joliet, for the purposes hereinafter named, to-wit:

§ 2. For relaying floors, repairing roofs, replacing sewer-ventilators and stairs, repairing water, steam and gas pipes, machinery, boilers and engines, repointing main walls of buildings, painting and plastering, building new closets for hospital and convict kitchen, putting in new heating apparatus in convict laundry, rebuilding portico at front entrance of main building, removing and resetting displaced coping and courses on the two central spires, south front of warden house, and making such other repairs as may be required to put the building, walls, grounds and appurtenances of the said penitentiary in good condition, the sum of sixteen thousand five hundred dollars, (\$16,500), per annum, or so much thereof as may be necessary from the first day of July, 1891, to the expiration of the fiscal quarter after the adjournment of the next General Assembly.

§ 3. For putting in an electric plant for lighting yard, warden house, cell houses and other buildings in said penitentiary, when needed, the sum of fifteen thousand dollars (\$15,000), for putting in an elevator in the warden house, running from the basement to the female prison on fifth floor, the sum of two thousand five hundred dollars (\$2,500), for refurnishing, papering, painting, etc., the different departments in the main building, the sum of three thousand dollars (\$3,000), or so much of said amount as may be necessary.

§ 4. The Auditor of Public Accounts is hereby authorized to draw his warrants upon the State Treasurer for the moneys herein appropriated, upon the order of the commissioners of said penitentiary, signed by the president and secretary of said board, and attested with the seal of the said penitentiary thereto attached.

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## PROPOSED AMENDMENTS TO SENATE BILL No. 211, BY THE COMMITTEE ON APPROPRIATIONS.

Amendment 1.—Amend section 2, by striking out in line 5 the following words: "rebuilding portico at front entrance of main building;" also, amend by striking out in lines 9 and 10, the words and figures "sixteen thousand five hundred dollars, (\$16,500), per annum", and insert the following words and figures, "twenty five thousand dollars (\$25,000)," in lieu thereof.

Amendment 2.—Amend by striking out in line 3 of section 3, the words and figures, "fifteen thousand dollars (\$15,000)," and insert the words and figures "twelve thousand five hundred dollars (\$12,500)," in lieu thereof.

Amendment 3.—Amend section 3, by striking out the following words and figures, "for putting in an elevator in the warden house, running from the basement to the female prison on fifth floor, the sum of two thousand five hundred dollars (\$2,500).

1. Introduced by Mr. Berry, March 6, 1891, and ordered to first reading.
2. First reading March 6, 1891, and referred to Committee on Education.
3. Reported back with amendments May 8, 1891, passage recommended, and ordered to second reading.

---

## A BILL

For an act to establish uniformity of text books in the public schools of each county in the State. □□

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the text books for all the public schools in each county in this State shall be uniform and shall be selected and adopted as herein provided; and when so selected and adopted they shall be the text books for the public schools of said county and shall be used in all of the public schools of said county except as herein provided in section 4 of this act.

§ 2. On or before August 1, 1891, and each five years thereafter, the county judge of each county shall appoint four persons, not more than two of which shall be from any one political party, who, together with the county superintendent of schools, shall constitute and be known as the school text book board for that county, which board shall meet at a time and place named by the county judge at the time of such appointment, and at such meeting said board shall organize by electing one of their number secretary, which school text book board shall in the manner hereinafter provided pro-

9 ceed to select a uniform series of school text books for public schools of  
10 said county.

§ 3. Before adopting a series of text books under the provisions of this  
2 act it shall be the duty of the school text book board to advertise by pub-  
3 lishing a notice for four consecutive weeks in at least three or more news-  
4 papers published in this or an adjoining State. Said notice shall state the  
5 time up to which all bids will be received, and where and by whom re-  
6 ceived, the classes and grades for which text books and other supplies are  
7 to be bought, and the approximate quantity that will be needed by the  
8 public schools of said county, and said board shall award the contract for  
9 said text books and supplies to any responsible bidder or bidders offering  
10 suitable text books and supplies at the lowest prices, taking into considera-  
11 tion the quality of material used, illustrations, binding, and all other things  
12 that go to make up a desirable text book: *Provided*, said board may reject  
13 any and all bids or any part thereof, and proceed to readvertise as herein  
14 provided.

§ 4. It shall be unlawful for the said school text book board to displace or  
2 change any text book that has been regularly adopted in any school dis-  
3 trict, before the expiration of three years from the date of such adoption,  
4 unless authorized to do so by a majority of the electors of said district  
5 present and voting at the regular school election for the election of direc-  
6 tors or boards of education, due notice of said proposition to displace or  
7 change said text books having been included in the notice for said regular  
8 meeting.

§ 5. Any person or firm desiring to furnish books or supplies under this  
2 act in any county shall, at or before the time of filing his bid hereunder,  
3 deposit in the office of the county superintendent of schools samples of all  
4 text books included in the bid, accompanied with lists giving the lowest  
5 wholesale and contract price for the same, and said samples and lists shall

6 remain in the county superintendent's office and shall be delivered by him  
7 to his successor in office, and shall be kept by him in such safe and con-  
8 venient manner as to be open at all times to inspection of such school offi-  
9 cers, school patrons and school teachers as may desire to examine the same,  
10 and compare them with others for the purpose of use in public schools.  
11 The school text book board shall require of any person or persons with  
12 whom they contract for furnishing any books or supplies, to enter into a  
13 good and sufficient bond in such sum and with such conditions as sureties  
14 as may be required by such board for the faithful performance of any such  
15 contract.

§ 6. No text book shall be prescribed in pursuance of provisions of this  
2 act unless the publishers thereof shall have first filed with county super-  
3 intendent of public instruction a guarantee of its price, quality and perma-  
4 nence of supply for five years, together with a good, sufficient bond for the  
5 faithful compliance with said guarantee, conditioned in such sum as the  
6 county text book board may determine and approve.

§ 7. The county superintendent of public instruction shall be ex officio  
2 chairman of said county text book board, and shall furnish each school dis-  
3 trict a list of the text books selected and prescribed in pursuance of the  
4 provisions of this act, which list shall be posted by the district clerks in  
5 their respective school houses, and said list shall comprise the only legal  
6 text book for the schools of said county, and it is hereby required of the  
7 school boards to conform to said lists in the text books prescribed for use  
8 in their schools. The said school text book board shall receive three dollars per  
9 day for each day actually employed in the duties of his said office, except  
10 the superintendent of schools, who shall receive the same pay as is now al-  
11 lowed by law for school work, such compensation, together with the cost  
12 of advertising, and the necessary cost of advertising provided for in this  
13 act, shall be paid out of the county funds of said county.

§ 8. The school text book board shall require of all persons who receive any contract for school books or supplies to keep a sufficient number of all such books and of all supplies so contracted for on sale at one or more public places in each (township) in said county at the contract price during the term of contract.

The bond of said contractor may be as follows:

BOND OF CONTRACTOR.

*Know all Men by these Presents:*

That we ..... of .....  
as principal, and ..... as sureties,  
are held and firmly bound unto ..... school  
text book board in the penal sum of ..... dollars .....  
to be paid to the said school text book board for the use of the public  
schools of the county, for which payment, well and truly to be made, we  
bind ourselves, our heirs, executors and administrators, firmly by these  
presents. The conditions of the above obligation are such that if the above  
bounden ..... shall well and truly fulfill and comply with  
all the obligations of their contract, made on the ..... day of  
....., 189..., with the aforesaid .....  
providing for the furnishing of school text books at prices and on condi-  
tions set forth in their said contract, a copy of which said contract is  
hereto attached and made a part hereof, then this obligation to be void,  
otherwise to remain in full force and effect. In testimony whereof we have  
hereunto subscribed our names this ..... day of ..... 189.

Principal.

.....

Sureties.



§ 9. The notice to publishers may be in the following form:

**NOTICE TO PUBLISHERS OF SCHOOL TEXT BOOKS.** Notice is hereby given that in accordance with school laws of 1891, bids will be received up to ..... of the ..... day ..... at ..... for the following text books and supplies for the use of the schools of said .....

Approximate number needed for first supply:

Readers, First to Fifth, inclusive .....  
 Arithmetics, two books .....  
 Speller .....  
 Geographies, two books .....  
 United States History .....  
 Grammar .....  
 Language Lessons .....  
 Copy Books, 1-5 inclusive .....  
 Physiology .....  
 .....

Approximate number of pupils in attendance upon the schools of said ..... during the year 1891 .....

Samples of all text books included in any bid must be deposited and remain in the office of the county superintendent.

In accordance with section 5 of this act the board reserves the right to reject any or all bids or any part thereof .....

....., Chairman.

....., Secretary.

....., 1891

PROPOSED AMENDMENTS TO SENATE BILL NO. 212 BY THE COMMITTEE ON EDUCATION AND EDUCATIONAL INSTITUTIONS.

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1. Amend section 8 by striking out the word "townships" in line 7 and insert the words "town, city or village" in lieu thereof.

2. Amend by adding to the bill the following:

Section 10. Upon petition of five legal voters of any school district, and upon petition of twenty-five legal voters in incorporated cities, towns or villages, being filed with the board of directors or board of education, as the case may be, twenty days preceding a regular annual election of directors or members of the board of education, it shall be the duty of the board of education or the board of directors, as the case may be, to notify the voters of such school district by posting notices in at least three public places in said district that an election "for" or "against" free text books will be held at the next ensuing election for members of the board of education or school directors, and if a majority of the votes cast at such election shall be in favor of free text books, it shall be the duty of the board of directors or board of education, as the case may be, to purchase from some person or persons having for sale the books adopted by the school text book board of the county in which said district is located, at the expense of such school districts, all the text books required or described in section 9 of this act, for the use of the pupils attending public school in such district, and such text books shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as to care and custody as the board of education or board of school directors may prescribe: *Provided*, that the boards of directors or board of education shall permit any pupil to purchase at their own expense, and own such books as are required under this act: *And provided further*, that pupils supplied with

23 text books shall not be supplied with similar text books by the board of  
24 directors or board of education until such books are needed by such pupil.

3. Amend by adding the following section:

Section 11. The board of education or board of directors are hereby au  
2 thorized to levy a tax annually upon the taxable property of the district  
3 to provide funds necessary to carry into effect section 10 of this act.



1. Introduced by Mr. Berry March 6, 1891, and ordered to first reading.
2. First reading March 6, 1891, and referred to Committee on Education.
3. Reported back with amendments May 8, 1891, passage recommended and ordered to second reading.
4. Second reading May 27, 1891, amended and ordered to third reading.

---

## A BILL

For an act to establish uniformity of text books in the public schools of each county in the State.

---

**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly,* That the text books for all the public schools in each county in this State shall be uniform and shall be selected and adopted as herein provided, and when so selected and adopted they shall be the text books for the public schools of said county and shall be used in all the public schools of said county except as herein provided in section 4 of this act.

2. On or before August 1, 1891, and each five years thereafter, the county judge of each county shall appoint four persons, not more than two of which shall be from any one political party, who, together with the county superintendent of schools, shall constitute and be known as the school text book board for that county, which board shall meet at a time and place named by the county judge at the time of such appointment, and at such meeting said board shall organize by electing one of their number secretary, which school text book board shall in the manner hereinafter provided proceed to select a uniform series of school text books for public schools of said county.

§ 3. Before adopting a series of text books under the provisions of this act, it shall be the duty of the school text book board to advertise by publishing a notice for four consecutive weeks in at least three or more newspapers published in this or an adjoining State. Said notice shall state the time up to which all bids will be received, and where and by whom received, the classes and grades for which text books and other supplies are to be bought, and the approximate quantity that will be needed by the public schools of said county, and said board shall award the contract for said text books and supplies to any responsible bidder or bidders offering suitable text books and supplies at the lowest price, taking into consideration the quality of material used, illustrations, binding, and all other things that go to make up a desirable text book: *Provided*, said board may reject any and all bids or any part thereof, and proceed to readvertise as herein provided.

§ 4. It shall be unlawful for the said school text book board to displace or change any text book that has been regularly adopted in any school district, before the expiration of three years from the date of such adoption, unless authorized to do so by a majority of the electors of said district present and voting at the regular school election for the election of directors or boards of education, due notice of said proposition to displace or change said text books having been included in the notice for said regular meeting.

§ 5. Any person or firm desiring to furnish books or supplies under this act in any county shall, at or before the time of filing his bid hereunder, deposit in the office of the county superintendent of schools samples of all text books included in the bid, accompanied with lists giving the lowest wholesale and contract price for the same, and said samples and lists shall remain in the county superintendent's office and shall be delivered by him to his successor in office, and shall be kept by him in such safe and con-

8 convenient manner as to be open at all times for inspection of such school offi-  
9 cers, school patrons and school teachers as may desire to examine the same,  
10 and compare them with others for the purpose of use in public schools.  
11 The school text book board shall require of any person or persons with  
12 whom they contract for furnishing any books or supplies, to enter into a  
13 good and sufficient bond in such sum and with such conditions as sureties  
14 as may be required by such board for the faithful performance of any such  
15 contract.

16 § 6. No text book shall be prescribed in pursuance of provisions of this  
17 act unless the publishers thereof shall have first filed with county super-  
18 intendent of public instruction a guarantee of its price, quality and perma-  
19 nence of supply for five years, together with a good, sufficient bond for the  
20 faithful compliance with said guarantee, conditioned in such sum as the  
21 county text book board may determine and approve.

22 § 7. The county superintendent of public instruction shall be ex-officio  
23 chairman of said county text book board, and shall furnish each school dis-  
24 trict a list of the text books selected and prescribed in pursuance of the  
25 provisions of this act, which list shall be posted by the district clerks in  
26 their respective school houses, and said list shall comprise the only legal  
27 text book for the schools of said county, and it is hereby required of the  
28 school boards to conform to said lists in the text books prescribed for use  
29 in their schools. The members of the said school text book board shall each  
30 receive three dollars (\$3) per day for each day actually employed in the dis-  
31 charge of the duties of the office, except the superintendent of schools, who  
32 shall receive the same pay as is now allowed by law for school work, such  
33 compensation, together with the cost of advertising, and the necessary cost  
34 of advertising provided for in this act, shall be paid out of the county funds  
35 of said county.

36 § 8. The school text book board shall require of all persons who receive

2 any contract for school books or supplies to keep a sufficient number of all  
 3 such books and all supplies so contracted for on sale at one or more  
 4 public places in each (township) in said county at the contract price during  
 5 the term of contract.

6 The bond of said contractor may be as follows

7 BOND OF CONTRACTOR

8 *Know all Men by these Presents*

9 That we..... of .....  
 10 as principal, and.....as sureties,  
 11 are held and firmly bound unto .....school  
 12 text book board in the penal sum of .....dollars .....  
 13 to be paid to the said school text book board for the use of the public  
 14 schools of the county, for which payment, well and truly to be made, we  
 15 bind ourselves, our heirs, executors and administrators, firmly by these  
 16 presents. The conditions of the above obligation are such that if the above  
 17 bounden.....shall well and truly fulfill and comply with  
 18 all the obligations of their contract, made on the .....day of  
 19 .....189.... with the aforesaid .....  
 20 providing for the furnishing of school text books at prices and on condi-  
 21 tions set forth in their said contract, a copy of which said contract is  
 22 hereto attached and made a part hereof, then this obligation to be void,  
 23 otherwise to remain in full force and effect.

24 In testimony whereof we have hereunto subscribed our names this .....  
 25 day of.....189....

26 .....  
 27 Principal.

28 .....  
 29 .....

30 Sureties.



§ 9. The notice to publishers may be in the following form:

2     *Notice to Publishers of School Text Books.* Notice is hereby given that in  
3 accordance with school laws of 1891, bids will be received up to, \_\_\_\_\_  
4 \_\_\_\_\_ of the \_\_\_\_\_ day \_\_\_\_\_  
5 \_\_\_\_\_ at \_\_\_\_\_  
6 \_\_\_\_\_ for the following text  
7 books and supplies for the use of the schools of said \_\_\_\_\_  
8     Approximate number needed for first supply: \_\_\_\_\_

9     Readers, First to Fifth, inclusive \_\_\_\_\_

10    Arithmetic, two books \_\_\_\_\_

11    Speller, \_\_\_\_\_

12    Geographies, two books \_\_\_\_\_

13    United States History \_\_\_\_\_

14    Grammar, \_\_\_\_\_

15    Language Lessons \_\_\_\_\_

16    Copy Books 1-5 inclusive \_\_\_\_\_

17    Physiology \_\_\_\_\_

18    \_\_\_\_\_

19    Approximate number of pupils in attendance upon the schools of said

20 \_\_\_\_\_ during

21 the year 189 \_\_\_\_\_

22     Samples of all text books included in any bid must be deposited and re-  
23 main in the office of the county superintendent.

24     In accordance with section 5 of this act the board reserves the right to  
25 reject any or all bids or any part thereof \_\_\_\_\_

26 \_\_\_\_\_, Chairman,

27 \_\_\_\_\_ Secretary

28 \_\_\_\_\_ 189 \_\_\_\_\_

§ 10. Upon petition of five legal voters of any school district, and upon

petition of twenty-five legal voters in incorporated cities, towns or villages, being filed with the board of directors or board of education, as the case may be, twenty days preceding a regular annual election of directors or members of the board of education, it shall be the duty of the board of education or the board of directors, as the case may be, to notify the voters of such school district by posting notices in at least three public places in said district that an election "For" or "Against" free text books will be held at the next ensuing election for members of the board of education or school directors, and if a majority of the votes cast at such election shall be in favor of free text books, it shall be the duty of the board of directors or board of education, as the case may be, to purchase from some person or persons having for sale the books adopted by the school text book board of the county in which said district is located, at the expense of such school district, all the text books required or described in section 9 of this act, for the use of the pupils attending public school in such district, and such text books shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as to care and custody as the board of education or board of school directors may prescribe: *Provided*, that the boards of directors or board of education shall permit any pupil to purchase at their own expense, and own such books as are required under this act: *And provided, further*, that pupils supplied with text books shall not be supplied with similar text books by the board of directors or board of education until such books are needed by such pupil.

§ 11. The board of education or board of directors are hereby authorized to levy a tax annually upon the taxable property of the district to provide funds necessary to carry into effect section 10 of this act.

1. Introduced by Mr. Higbee March 6, 1891, and ordered to first reading.
5. First reading March 6, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments March 27, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to amend section seven of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved and in force February 15, 1889.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That section seven of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved and in force February 15, 1889, be and the same is hereby amended so as to read as follows:

Section 7. In the county of Adams, on the third Monday in January and fourth Monday of March, and on the third Monday of May, and on the third Monday of June, and third Monday of September, and on the fourth Monday of October; in the county of Hancock on the first Mondays of March, June and October; in the county of McDonough on the first Tuesday of February, the second Tuesday of May, and the second Tuesday of September: *Provided,* that the May term shall be devoted exclusively to the trial of chancery causes, and to the trial or transaction of any business

9 in civil and criminal cases not requiring a jury, and no jury shall be im-  
 10 paneled for said May term. In the county of Brown, on the fourth Tues-  
 11 day in February and the first Tuesday in October; in the county of Fulton  
 12 on the second Tuesday of March, the third Tuesday of August and the  
 13 first Tuesday of December; in the county of Pike on the second Monday of  
 14 April, the second Monday of June and the second Monday of November;  
 15 *Provided*, that the June term shall be devoted exclusively to the trial of  
 16 chancery causes, and to the trial or transaction of any business in civil and  
 17 criminal cases, not requiring a jury, and no jury shall be impaneled for  
 18 said June term. In the county of Schuyler on the fourth Tuesday in April  
 19 and the third Tuesday in October.

§ 2. Whereas, an emergency exists, therefore this act shall take effect and  
 2 be in force from and after its passage.

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**AMENDMENTS TO SENATE BILL No. 213. PROPOSED BY COMMITTEE  
 ON JUDICIARY.**

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Amend by striking out the word "second" at the end of the first and  
 beginning of the second line of the second page of the original bill and insert-  
 ing in lieu thereof the word "third;" also by inserting in line five on the same  
 page before the word "jury" at the end of the line the words, "grand or petit;"  
 also by striking out the word "impaneled" in the sixth line of the same page  
 and inserting in lieu thereof the word "summoned."

1. Introduced by Mr. Higbee, March 6, 1891, and ordered to first reading.
2. First reading March 6, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments March 27, 1891, passage recommended and ordered to second reading.
4. Second reading April 14, 1891, amended and ordered to third reading.

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## A BILL

For an act to amend section seven of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved and in force February 15, 1889.

---

SECTION 1 *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section seven of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved and in force February 15, 1889, be and the same is hereby amended so as to read as follows:

Section 7. In the county of Adams, on the third Monday in January and fourth Monday of March, and on the third Monday of May, and on the third Monday of June, and third Monday of September, and on the fourth Monday of October; in the county of Hancock on the first Mondays of March, June and October; in the county of McDonough on the first Tuesday of February, the second Tuesday of May, and the second Tuesday

7 of September: *Provided*, that the May term shall be devoted exclusively to  
8 the trial of chancery causes, and to the trial or transaction of any business  
9 in civil and criminal cases not requiring a jury, and no jury shall be im-  
10 paneled for said May term. In the county of Brown on the fourth Mon-  
11 day in February and the first Monday of September; in the county of Fulton  
12 on the second Tuesday of March, the third Tuesday of August and the  
13 first Tuesday of December; in the county of Pike on the second Monday of  
14 April, the third Monday of June and the second Monday of November;  
15 *Provided*, that the June term shall be devoted exclusively to the trial of  
16 chancery causes, and to the trial or transaction of any business in civil and  
17 criminal cases not requiring a jury, and no jury, grand or petit, shall be  
18 summoned for said June term. In the county of Schuyler on the fourth  
19 Tuesday in April and the third Tuesday in October.

§ 2. Whereas, an emergency exists, therefor this act shall take effect and  
2 be in force from and after its passage.

**AMENDMENT TO SENATE BILL No. 213—IN THE HOUSE.**

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Adopted by the House of Representatives May 18, 1891, ordered printed and engrossed May 18, 1891.

1. Amend section 7 of the printed bill by striking out line 12, and the first four words of line 13, and inserting in lieu thereof the following words: "On the first Monday in December, the second Monday in March and the third Monday in August."





1. Introduced by Mr. O'Connor, March 6, 1891, and ordered to first reading.
2. First reading March 6, 1891, and referred to Committee on License and Miscellany.
3. Reported back March 26, 1891, passage recommended, and ordered to second reading.

## A BILL

For an act to encourage the breeding and improvement of trotting and pacing horses, for the prevention and punishment of fraudulent entries and practices in contests of speed, prescribing penalties therefor, and declaring an emergency.

### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

*2 in the General Assembly.* That in order to encourage the breeding of and  
3 improvement in trotting and pacing horses in the State of Illinois, it is here-  
4 by made unlawful for any person or persons knowingly to enter or cause  
5 to be entered for competition, or to compete for any purse, prize, premium,  
6 stake or sweepstakes offered or given by any agricultural or other society,  
7 association or person or persons, in the State of Illinois, any horse, mare,  
8 gelding, colt or filly under an assumed name, or out of its proper class,  
9 where such prize, purse, premium, stake or sweepstake is to be decided by  
10 a contest of speed.

§ 2. Be it further enacted, that any person or persons found guilty of a  
2 violation of section one of this act shall upon conviction thereof be imprison-  
3 ed in the State's prison for a period of not less than one year or more than  
4 three years, or imprisoned in the county jail of the county in which he is  
5 convicted for any definite period, not less than six months, and shall be  
6 fined in any sum not exceeding one thousand dollars.

§ 3. That the name of any horse, for the purpose of entry for competition in any contest of speed, shall not be changed after once having contested for a prize, purse, premium, stake or sweepstakes, except as provided by the code of printed rules of the society or association, under which the contest is advertised to be conducted.

§ 4. That the class to which a horse belongs, for the purpose of entry in any such contest of speed, shall be determined by the public performance of said horse in said former contest or trial of speed, as provided by the printed rules of the society or association under which the proposed contest is advertised to be conducted. And any person or persons knowingly misrepresenting or fraudulently concealing the public performance in any former contest or trial of speed of any horse, which he or they propose to enter for competition in any such contest, shall upon conviction thereof be liable to the same punishment as is provided in section two of this act, whether he or they shall succeed in making said entry or not.

§ 5. It is hereby declared that an emergency exists for the immediate taking effect of this act, and the same shall be in force from and after its passage.

1. Introduced by Mr. O'Connor March 6, 1891, and ordered to first reading.
2. First reading March 6, 1891, and referred to Committee on License and Miscellaneous.
3. Reported back March 26, 1891, passage recommended and ordered to second reading.
4. Second reading April 16, 1891, amended and ordered to a third reading.

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## A BILL

For an act to encourage the breeding and improvement of trotting and pacing horses, for the prevention and punishment of fraudulent entries and practices in contests of speed, prescribing penalties therefor, and declaring an emergency.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in order to encourage the breeding of and improvement in trotting and pacing horses in the State of Illinois, it is hereby made unlawful for any person or persons knowingly to enter or cause to be entered for competition, or to compete for any purse, prize, premium, stake or sweepstakes offered or given by any agricultural or other society, association or person or persons, in the State of Illinois, any horse, mare, gelding, colt or filly under an assumed name, or out of its proper class, where such prize, purse, premium, stake or sweepstake is to be decided by a contest of speed.

§ 2. Be it further enacted, that any person or persons found guilty of a violation of section one of this act shall, upon conviction thereof, be fined not exceeding five hundred dollars or imprisoned in the county jail of the

4 county in which he is convicted for any definite period not more than six  
5 months, and shall be fined in any sum not exceeding one thousand dollars.

§ 3. That the name of any horse, for the purpose of entry for competi-  
2 tion in any contest of speed, shall not be changed after once having con-  
3 tested for a prize, purse, premium, stake or sweepstakes, except as provided  
4 by the code of printed rules of the society or association under which the  
5 contest is advertised to be conducted.

§ 4. That the class to which a horse belongs, for the purpose of entry in  
2 any such contest of speed, shall be determined by the public performance  
3 of said horse in said former contest or trial of speed, as provided by the  
4 printed rules of the society or association under which the proposed contest  
5 is advertised to be conducted. And any person or persons knowingly mis-  
6 representing or fraudulently concealing the public performance in any  
7 former contest or trial of speed of any horse, which he or they propose to  
8 enter for competition in any such contest, shall, upon conviction thereof, be  
9 liable to the same punishment as is provided in section two of this act,  
10 whether he or they shall succeed in making said entry or not.

§ 5. It is hereby declared that an emergency exists for the immediate  
2 taking effect of this act, and the same shall be in force from and after its  
3 passage.

- 
1. Introduced by Mr. Bogardus March 6, 1891, and ordered to first reading.
  2. First reading March 6, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
  3. Reported back March 12, 1891, and ordered to be printed for use of committee.
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## A BILL

For an act to prevent adulteration in the manufacture and sale of vinegar.

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**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

**2 *in the General Assembly.*** That no person shall manufacture, produce, sell,  
**3 keep for sale or offer for sale any vinegar which shall not have an acidity**  
**4 equivalent to the presence of at least four and one-half per centum (4½ per**  
**5 cent.) by weight, of absolute acetic acid, or any cider vinegar which shall**  
**6 have less than such amount of acidity, or less than two per centum (2 per**  
**7 cent.) by weight, of cider vinegar solids upon full evaporation over boiling**  
**8 water.**

§ 2. No person shall manufacture, produce, sell, keep for sale or offer for  
**2 sale any vinegar or product in imitation or semblance of cider vinegar which**  
**3 is not cider vinegar.**

§ 3. No person shall sell, keep for sale or offer for sale, as or for cider  
**2 vinegar, any vinegar or product which is not cider vinegar.**

§ 4. No person shall manufacture, produce, sell, keep for sale or offer for  
**2 sale any vinegar which shall contain any preparation of lead, copper, sul-**  
**3 phuric acid or other ingredients injurious to health, or any artificial color-**  
**4 ing matter.**

§ 5. Every manufacturer or producer of cider vinegar shall plainly paint or brand on one head of the cask, barrel, keg or other package containing such vinegar, his name and place of business, and the words "cider vinegar;" and no person shall label or brand as or for cider vinegar, any package containing vinegar which is not cider vinegar.

§ 6. No person shall sell or offer for sale any vinegar unless the barrel or package containing same is plainly marked with the name of the ingredient or ingredients of which it is manufactured.

§ 7. Whoever, by himself or another, violates any of the provisions of any of the foregoing sections shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100).

§ 8. If any person, by himself or another, shall violate any of the provisions of sections one (1), two (2), three (3), four (4), five (5) and six (6) of this act, or of "An act to prevent the adulteration of food," he shall, in addition to the fines and penalties prescribed for each offense, forfeit and pay a fixed penalty of fifty dollars (\$50) for each offense. Such penalties shall be recovered with costs in any court of this State having jurisdiction thereof, in an action to be prosecuted by the Illinois Food Commissioner or any of his assistants in the name of the People of the State of Illinois.

§ 9. The prosecution shall not be compelled to elect in any trial for the misdemeanors or suit for the penalties for the violation of section one (1), two (2), three (3), four (4), five (5) or six (6) where the indictment, information or complaint charges a violation of any two or more of such sections, between the charges or counts under such different sections.

§ 10. For the purposes of this act the term "cider vinegar" shall be understood to mean vinegar made exclusively from pure apple juice.

§ 11. All laws or parts of laws in conflict with this act are hereby repealed.

1. Introduced by Mr. Newell March 6, 1891, and ordered to first reading.
2. First reading March 6, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back April 9, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the distribution of geological specimens to the public schools of the State of Illinois adopting a course of study in geology.

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Whereas, There is now in the basement of the State house at Springfield many tons of matter, the property of the State, consisting of duplicate specimens of minerals and fossils from the different localities of the State, of no practical value or use in its present condition.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the authorities of any public school in the State having adopted as a part of the course of study, "the geology of the State of Illinois," and being desirous of obtaining geological specimens for the purpose of illustrating such study, may make an application for the same to the board of trustees of the historical library and natural history museum.

§ 2. Such application shall be in writing, signed by the proper authorities of such school, and with the same shall be presented to said board of trustees a certified copy of the course of study adopted in such school.

§ 3. Upon such application being made it shall be the duty of the curator of the said library and museum, under such rules and regulations as the said board of trustees may prescribe, to make up and deliver to the authori-

4 ties of any such school applying therefor, at the State house aforesaid, free  
5 of charge, a collection of minerals and fossils out of the material mentioned  
6 in the preamble of this act, scientifically labeled and sufficient in his judg-  
7 ment to intelligently illustrate the course of study so adopted.

§ 4. The trustees aforesaid shall make all needful and necessary rules  
2 and regulations to carry this act into effect, and they shall have power to  
3 require of the authorities of any school applying as aforesaid that they  
4 procure a suitable case for the protection and safekeeping of such collec-  
5 tion as a condition precedent to the delivery thereof.



1. Introduced by Mr. Humphrey March 10, 1891, and ordered to first reading.
2. First reading March 10, 1891, and referred to Committee on Municipalities.
3. Reported back with amendments March 12, 1891, passage recommended and ordered to second reading.

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## A BILL

An act to provide for the division of incorporated towns.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That any portion of an incorporated town, such  
3 portion having an area of not less than one square mile and a resident  
4 population of not less than 1,000, and lying upon the border and within  
5 the boundary of such incorporated town, may be disconnected from such  
6 town as a separate town in manner following, that is to say:

7 A petition shall be presented to the county judge of the county in which  
8 such incorporated town is situated, asking that the question of disconnec-  
9 tion be submitted to the legal voters of such town. Such petition shall  
10 clearly define the boundary of such territory sought to be so disconnected;  
11 shall state the population thereof and the name proposed for the town to  
12 be organized therefrom, and shall be signed by no less than 100 of the legal  
13 voters residing within the limits of the territory sought to be disconnected,  
14 unless the votes cast by the voters residing within the limits of such terri-  
15 tory at the last preceding election numbered less than 500, in which case  
16 the petition shall be signed by one-fifth of the legal voters residing within  
17 the limits of such territory; and thereupon the said county judge shall  
18 cause to be submitted the question of disconnection to the voters of such

19 incorporated town at an election to be held in such incorporated town;  
20 such question shall be submitted at the next succeeding general or municipi-  
21 pal election, provided such general or municipal election shall be holden at  
22 a time not less than 20 days or more than 60 days after the presentation  
23 of said petition to said county judge. In case the next succeeding general  
24 or municipal election shall be holden at the time within 20 days or more  
25 than 60 days after the presentation of said petition as aforesaid, then the  
26 said county judge shall order a special election to be holden in said town  
27 after the manner of holding town elections at a time not more than 30 days  
28 after the presentation of said petition. Notice of the election hereby re-  
29 quired shall be given by causing notices thereof to be published in at least  
30 one newspaper published in said county within which said incorporated  
31 town may be, at least 15 days before such election, by the clerk of the  
32 county court. The ballots cast at such election to be written or printed or  
33 partly written and partly printed "for disconnection of" (here set out the  
34 limits of the territory sought to be disconnected) or "against disconnection  
35 of" (here set out the limits of the territory sought to be disconnected)  
36 respectively, to be received, canvassed and returned the same as ballots for  
37 municipal officers of such incorporated town, and the officers who are  
38 charged by law with the duty of canvassing such votes shall ascertain the  
39 exact residence of each voter voting at such election, either from the books  
40 of registration or from the oath or affirmation of such voter, and shall file  
41 or cause to be filed with the clerk of the county court of such county a  
42 certificate of such canvass immediately upon ascertaining the result thereof,  
43 in which certificate such officers shall state, as well as the results of the  
44 entire vote as canvassed by them, the number of votes cast by the voters  
45 residing within the limits of the territory so sought to be disconnected,  
46 and the number of votes for and the number of votes against the question  
47 so submitted as cast by such voters; and if it shall appear that the majority  
48 of the voters of such incorporated town as well as a majority of the voters

49 residing within the limits of the territory sought to be disconnected, so  
50 voting upon the question of division at such election vote for disconnection,  
51 thereupon such territory shall become disconnected and wholly separated  
52 from such town, both as an incorporated town and as a town under the  
53 township organization laws, and shall constitute a duly organized town  
54 under the name proposed in the aforesaid petition under the general town-  
55 ship organization laws; and the jurisdiction of the corporate authorities of  
56 the town from which such territory shall be taken shall continue over such  
57 new town until proper township officers of such new town shall be elected  
58 and qualified under the provisions of this act; and the county judge shall  
59 forthwith call and fix the time and place of an election to elect town  
60 officers, and cause notices thereof to be posted or published, and perform all  
61 other acts in reference to such election in like manner as nearly as may be,  
62 as he is required to perform in reference to the election of officers in newly  
63 organized cities; but the term of such officers elected at such election shall  
64 terminate as soon as their successors are elected and qualified at the regu-  
65 lar annual election.

§ 2. If more than one petition be presented to the county judge as de-  
2 scribed in this act for the disconnection of the same territory included  
3 within different boundaries, the judge of said county shall submit such  
4 question as petitioned for in the first petition presented to him, and shall  
5 suspend action upon such other petition or petitions until the question first  
6 submitted shall be determined by election as aforesaid.

§ 3. Whenever any incorporated town shall be divided under the pro-  
2 visions of this act, after the making out of the assessor's books in any year,  
3 such division shall not in any manner affect the assessment or collection of  
4 the taxes assessable and collectable in that year, but the same may be  
5 assessed and collected in the same manner and by the same officers as if no  
6 division or alteration had taken place.

§ 4. Whenever any portion of any incorporated town shall be disconnected from such town and organized as a separate town under the provisions of this act, such new town shall become vested with the title and ownership of all property belonging to such incorporated town lying wholly therein, to be held for the use and benefit of such new town.

§ 5. Such new town shall assume and pay its proportionate share of any indebtedness of such incorporated town according to the taxable property in such new town; the amount of said indebtedness to be paid by said newly organized town shall be determined and agreed upon by the corporate authorities of the said newly organized town and of the original town from which such territory is taken, in such manner as they shall elect. If they cannot agree then the matter shall be determined by the circuit court of the county in which such towns may be, by petition of either town or of any taxpayer of either town. The court shall hear and determine the matter in a summary way without pleadings, and shall pronounce judgment as the right and equity of the matter shall demand. If the respective corporate authority shall agree as to the amount to be paid by each town, then each shall pass an ordinance or a resolution reciting the amount thereof to be paid, a copy of which said ordinance shall be duly certified by the clerk of each town and filed with the county clerk of the county wherein such towns may lie, and by him certified to the State Auditor of Public Accounts, and which said ordinance or resolution shall be final and conclusive in all proceedings as to the amount of indebtedness so to be paid. If a judgment or decree shall be entered by the circuit court or county court, as hereby provided, then a certified copy thereof shall be made by the clerk of said court and filed with the clerk of each of said towns and with the county clerk, and by the county clerk certified to the State Auditor of Public Accounts, and such judgment shall be final and conclusive in all proceedings as to the amount of indebtedness to be paid by each town. The State Auditor shall not thereafter certify the proportion or rate per centum to

26 the county clerk and the county clerk shall thereafter extend such porpor-  
 27 tion or rate per centum upon the taxable property of both the original  
 28 town and such new town for the payment of any bonds or interest thereon  
 29 so issued by such incorporated town so that each town shall pay its just  
 30 share and proportion. Such new town shall be entitled to its proportionate  
 31 share of all public property according to the amount of taxable property  
 32 within such new town, and shall be charged therewith in a division of the  
 33 public property of such dismembered incorporated town, and the original town  
 34 as divided shall be charged with all the public property within its terri-  
 35 tory and all the public funds in the hands of the corporate authorities,  
 36 such division to be agreed upon by the same authorities or settled by the  
 37 court in the same manner and upon the same basis as above provided for in  
 38 dividing the indebtedness of said dismembered incorporated town.

§ 6. When an incorporated town shall be divided as above prescribed,  
 2 and before such division the municipal authorities of said incorporated  
 3 town had made an annual tax levy, then in such case there shall be paid  
 4 over to the treasurer of the new town the pro rata share paid by such dis-  
 5 connected territory of said tax levy for said year, according to the taxable  
 6 property therein as the same existed immediately before such division, and  
 7 charging such territory its proportionate share for the expired part of the  
 8 fiscal year.

§ 7. When any portion of an incorporated town is disconnected therefrom  
 2 under the provisions of this act, and prior to such division proceedings had  
 3 been instituted for the purpose of improving any streets within such de-  
 4 tached portion by special assessment or special tax, then in such case such  
 5 proceedings may be carried to a finalty whether the whole improvement be  
 6 within the detached portion or not. If the whole improvement is to be  
 7 made within the detached portion then the amount collected by such pro-  
 8 ceedings shall be paid over to such new town to be used by such town for  
 9 the purpose for which such proceedings were instituted. If only a part of

10 such improvement is to be made within the detached territory, then such  
11 newly organized town may proceed with the same as though such division  
12 had not taken place. When any portion of any incorporated town shall be  
13 disconnected under the provisions of this act, then in that case any pro-  
14 ceedings instituted for the purpose of taking land for the purpose of open-  
15 ing any street or alley or other public way within the territory so discon-  
16 nected shall not be arrested or stayed, but the same may proceed to a  
17 finalty if the new town so elect, and all moneys received from any special  
18 assessment or tax levied or assessed for such purpose shall be paid over to  
19 the said new town to be used by it for the purposes for which the same  
20 was collected, such proceedings to be continued in the name of said new  
21 town with like force and effect as though said territory had not been  
22 detached.

§ 8. If any portion of any incorporated town be disconnected under the  
2 provisions of this act, such portion or new town shall have the same use  
3 and benefit of any water works, gas or electric light system owned by said  
4 original town, from which said portion was disconnected, on the same  
5 terms, conditions and restrictions that it had before such dismemberment,  
6 and on the same terms, conditions and restrictions said disconnected terri-  
7 tory or new town may thereafter receive the use and benefit thereof.

§ 9. When any portion of any incorporated town shall be disconnected  
2 under the provisions of this act, if any officer of the town from  
3 which such territory shall be taken (excepting justices of the peace or  
4 police magistrates) shall continue to reside in such new town, his office  
5 shall become vacant and filled as in other cases of vacancy; but any justice  
6 of the peace or police magistrate duly elected and qualified, and acting at  
7 the time such disconnection shall take effect, shall continue to hold his  
8 office for the term for which he was elected; all suits, actions, proceedings,  
9 complaints, prosecutions and special proceedings which shall be pending in

10 the territory so disconnected before any justice of the peace shall be heard  
11 and determined as though such division had not taken place, and the said  
12 justices of the peace shall continue to exercise within said territory the  
13 duties of their respective offices until the term thereof shall respectively  
14 expire or otherwise be determined in the same manner as though such dis-  
15 connection had not taken place, and the powers and jurisdiction of said  
16 justices within said territory, and their fees and emoluments and methods  
17 of procedure, shall be the same as though such disconnection had not taken  
18 place. At the expiration of the term of such justices of the peace or police  
19 magistrates all dockets and books, papers and files of their respective offices  
20 shall be filed and deposited with any justice of the peace of said newly in-  
21 corporated town that the circuit court of the county shall designate by  
22 order of the court.

§ 10. Nothing herein shall be construed to authorize the alteration of  
2 the boundaries of any school district or township.

§ 11. All acts and parts of acts in conflict herewith are hereby repealed.

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#### AMENDMENT PROPOSED BY COMMITTEE ON MUNICIPALITIES.

Amend by striking out section 11.





## AMENDMENTS TO SENATE BILL NO. 224, IN HOUSE.

Adopted by the House of Representatives, April 21, 1891, and ordered printed, April 21, 1891.

1. Strike out the word "not" in the 27th line of section 5 of the printed bill

2. Strike out the words "newly organized" in the 11th line of the 7th section of the printed bill, and insert in lieu thereof the word "original."

3. Insert after the word "proportion" in the 30th line of the 5th section of the printed bill, "as agreed upon or as adjudged by the court."

4. Amend section 8 so as to read as follows:

Section 8. If any portion of any incorporated town be disconnected under  
2 the provisions of this act, such new town and the original town shall have the  
3 same use and benefit of any sewer, water works, gas or electric light system  
4 owned by said original town, from which such new town was disconnected, on  
5 the same terms, conditions and restrictions that the territory of each had  
6 before such dismemberment, and in case the new town shall become incor-  
7 porated as a village then such village shall succeed to all the rights and  
8 privileges and be subject to all the burdens and conditions granted or  
9 imposed by this act

5. Between the words "voter" and "and" the 11th and 12th words of the 10th line of section one (1) of the printed bill, insert the following:

"And in election precincts which are interested by the boundaries of the territory sought to be disconnected the judge of election shall procure an additional ballot box in which shall be deposited only the ballots of voters residing within the limits of the territory so sought to be disconnected."



1. Introduced by Mr. Humphrey March 10, 1891, and ordered to first reading.
2. First reading March 10, 1891, and referred to Committee on Municipalities.
3. Reported back March 12, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section one (1) of article eleven (11) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872.

*Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section one (1) of article eleven (11) of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872, be amended to read as follows:*

Section 1. Any town in this State incorporated, either under any general law for the incorporation of towns and acts amendatory thereof or under any special act for the incorporation of any town or village, or any town which may be organized out of territory which may be disconnected from any incorporated town under the provisions of an act entitled "An act to provide for the division of incorporated towns," may become organized as a village under this act in the manner following: Whenever any thirty voters in such town shall petition the corporate authorities thereof to submit the question whether such town will become organized as a village under this act, to the decision of the legal voters thereof, it shall be the

11 duty of such corporate authorities to submit the same accordingly and to  
12 fix a time and place within such town for holding such election and to ap-  
13 point the judges to hold such election, and to give notice of the time,  
14 place and purpose of such election by causing at least five notices thereof  
15 to be posted in public places in such town for at least fifteen days prior to  
16 holding such election.

1. Introduced by Mr. Kerrick, March 10, 1891, and ordered to first reading.
2. First reading March 10, 1891, and referred to Committee on Judiciary.
3. Reported back March 27, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section one (1) of "An act to regulate the granting of continuances in criminal cases," approved June 26, 1885, in force July 1, 1885.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section one of an act entitled "An act to regulate the granting of continuances in criminal cases," approved June 25, 1885, in force July 1, 1885, be and the same is hereby amended so as to read as follows:

Section 1. When affidavit is made for a continuance in behalf of the people or any defendant in a criminal case on the ground of the absence of a material witness, the State's attorney, or the defendant, as the case may be, shall not be required to admit the absolute truth of the matter set up in the affidavit for continuance, but only that such absent witness, if present, would testify as alleged in the affidavit, and if it is so admitted, no continuance shall be granted, but the case shall go to trial, and the party admitting the same shall be permitted to controvert the statements contained in such affidavit by other evidence, or to impeach such absent witness the same as if he had testified in person: *Provided*, that the court may, in its discretion, require the opposite party to admit the truth absolutely,

12 of any such affidavit, when, from the nature of the case, he may be of  
13 opinion that the ends of justice require it: *Provided, further*, that this act  
14 shall not apply to applications for continuances at the same term of court  
15 at which the indictment is found or information filed: *And provided*  
16 *further*, that whenever an affidavit for a continuance shall be made on be-  
17 half of either party upon the ground of the absence of a material witness,  
18 after such party shall have been allowed continuances upon such ground at  
19 two prior terms of court, the court may, in its discretion, examine, or cause  
20 to be examined orally, under oath, the person making such affidavit, and  
21 such other witnesses as the court may deem proper, as to the truth of the  
22 matters alleged in such affidavit, and thereupon the court may, in its dis-  
23 cretion, grant or refuse a continuance of the cause, as in its opinion the  
24 ends of justice may require. And if, in the opinion of the court, a contin-  
25 uance should be granted, the opposite party shall have the same rights and  
26 the court may exercise the same discretion concerning the admission of  
27 matters set up in the affidavit as upon prior applications for continuance  
28 upon such grounds.

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1. Introduced by Mr. Caldwell, March 10, 1891, and ordered to first reading.
  2. First reading March 10, 1891, and referred to Committee on Mines and Mining.
  3. Reported back April 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the weighing in gross of coal hoisted at mines.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That it shall be unlawful for any owner, agent or  
3 operator of any coal mine, whose mines are paid upon the basis of the  
4 quantity of coal which each shall mine and deliver to said employer, to take  
5 any portion of the same by any process of screening, or by any other de-  
6 vice, without fully accounting for and crediting the same to the miner from  
7 whose output such portion is screened or taken.

§ 2 That all coal shall be weighed in the pit cars before being dumped into  
2 screens or chutes, two thousand pounds to the ton. A correct record shall  
3 be kept of the weight of each miner's car, which record shall be kept open  
4 at all reasonable times for the inspection of all miners or others pecuniarily  
5 interested in the product of such mine. The person authorized to weigh  
6 the coal and keep such record shall, before entering upon his duties, make  
7 and subscribe to an oath before some magistrate or other officer authorized  
8 to administer oaths that he will accurately weigh and carefully keep a true  
9 record of coal delivered from mines. This oath shall be kept conspicuously  
10 posted at the place of weighing.

§ 3. Any person, owner or agent operating a coal mine in this State, who shall fail to comply with the provisions of this act, shall be fined for the first offense not less than twenty-five dollars (\$25) nor more than (\$50), for the second offense not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200), and for the third offense be imprisoned in the county jail not less than six months nor more than one year.



1. Introduced by Mr. Wiles March 11, 1891, and ordered to first reading.
2. First reading March 11, 1891, and referred to Committee on Insurance.
3. Reported back with amendments April 2, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 8 of an act entitled "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved and in force March 11, 1869.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 8 of an act entitled "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved and in force March 11, 1869, be amended so as to read as follows:

Section 8. It shall be lawful for any insurance company organized under this act, or any such company incorporated under any law of this State, to invest its capital and the fund accumulated in the course of its business, or any part thereof, in bonds and mortgages on improved unincumbered real estate within the State of Illinois, worth fifty per cent. more than the sum loaned thereon (exclusive of buildings, unless such buildings are insured and the policy transferred to said company), and also in the stocks of this State, or stocks or treasury notes of the United States, and also in the bank stock of national banks, and also in the stocks and bonds of any county or incorporated city in this State authorized to be issued by the legislature, and to lend the same or any part thereof, on the security of

11 such stocks or bonds or treasury notes, or upon bonds or mortgages as  
12 aforesaid, and to change and reinvest the same as occasion may from time  
13 to time require; but any surplus money over and above the capital stock of  
14 such fire and inland navigation insurance companies, or any such insurance  
15 companies incorporated under any law of this State, may be invested in or  
16 loaned upon the pledge of the public stocks or bonds of the United States,  
17 or any one of the States, or the stocks, bonds or other evidences of indebt-  
18 edness of any solvent, dividend-paying institution incorporated under the  
19 laws of this State or of the United States, except their own stock: *Provided*  
20 *always*, that the current market value of such stocks, bonds and other evi-  
21 dences of indebtedness shall be at all times, during the continuance of such  
22 loans, at least ten per cent. more than the sum loaned thereon. When any  
23 fire insurance company organized under the laws of this State shall transact  
24 business in any other State, in compliance with the laws of that State, it  
25 may invest its surplus funds, over and above its capital stock and the  
26 amount of all its liabilities, in bonds and mortgages on improved unincum-  
27 bered real estate within such State, and in the bonds of any county or in-  
28 corporated city in such State having not less than five thousand inhabi-  
29 tants, under the same restrictions applicable to investments or loans of  
30 capital stock or surplus funds of such company in this State.

1. Introduced by Mr. Chapman March 12, 1891, and ordered to first reading
2. First reading March 12, 1891, and referred to Committee on Insurance.
3. Reported back April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the return of excessive premiums on fire insurance policies in case of loss thereon.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That whenever any policy or policies of insurance shall be written on any building or building in this State, and such building or buildings shall be totally destroyed by any of the elements or causes insured against, the amount of the insurance written on such building or buildings in such policy or policies shall be taken to be the prima facie value thereof. But nothing herein contained shall be taken, considered or construed to prevent the company or companies so insuring from showing the true cash value of the building or buildings so insured, immediately preceding their destruction, which true cash value shall be taken and considered to be the amount of the loss sustained by the destruction of such building or buildings; but where the true cash value is shown to be less than the prima facie value, the company or companies insuring shall,

14 in addition to the amount of the loss for which it or they are liable, pay  
 15 to the insured as a return premium the excess of the premium paid for  
 16 such insurance on the amount of the insurance over and above the true  
 17 cash value of such building or buildings so destroyed.

1. Introduced by Mr. Ferguson March 12, 1891, and ordered to first reading.
2. First reading March 12, 1891, and referred to Committee on Judiciary.
3. Reported back April, 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors," approved March 30, 1874, by adding an additional section thereto, to be designated section 6½.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly.* That an act entitled "An act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors," approved March 30, 1874, be and the same is hereby amended by inserting between sections 6 and 7 of said act the following section, to be designated as section 6½:

Section 6½. Every person, whether the keeper of a dram shop or not, who shall buy or in any manner procure or aid in procuring any wine, rum, brandy, gin, whisky, lager beer, hard cider, alcohol, or other vinous, malt, spirituous, fermented or mixed liquors or any intoxicating liquor whatever, for any minor, without the written order of such minor's parent, guardian or family physician, or shall so procure or aid in procuring any of said

7 liquors for any person intoxicated, or who is in the habit of getting intoxi-  
8 cated, shall for every such offense be fined not less than twenty dollars nor  
9 more than one hundred dollars or confined in the county jail not less than  
10 ten nor more than thirty days or both in the discretion of the court.

1. Introduced by Mr. Thomas, March 17, 1891, and ordered to first reading.
2. First reading March 17, 1891, and referred to Committee on Judiciary.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend the criminal laws of the State.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* Every person who for profit or gain, or in anticipation thereof, for the purpose of presenting what is commonly known as spirit materialization, shall personate the spirit of a deceased person, or who shall by trick, device or mechanical contrivance present anything to represent the spirit of a deceased person shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than one hundred dollars nor more than three hundred dollars, or confined in the county jail not less than three months nor more than six months or both, in the discretion of the court.

§ 2. This act shall not be deemed to apply to any portion of a scene or play in any theatrical presentation.





1. Introduced by Mr. Campbell March 17, 1891, and ordered to first reading.
2. First reading March 17, 1891, and referred to Committee on Revenue.
3. March 17, 1891, ordered to be printed for use of committee.

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## A BILL

For an act to provide for the selection of depositories of State funds, the depositing by the State Treasurer of the funds of the State therein, and the receiving and disbursement of interest accruing from funds so deposited.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That all moneys now belonging to or that may at any time hereafter belong to the State of Illinois, that is now in the State treasury or that hereafter may be required by law to be paid into the treasury for any purpose whatever, shall immediately on receipt thereof be deposited by the Treasurer to the credit of the State, for the benefit of the fund to which such moneys respectively belong, in such bank, banks or banking institutions in this State as he may from time to time with the approval of the Governor and Attorney General select, the said bank, banks, or banking institutions giving security satisfactory to the Governor and Attorney General, for the safe keeping and payment of such deposits

12 when demanded by the State Treasurer on his checks--such bank, banks or  
 13 banking institutions to pay a bonus for the use of such deposits, not less  
 14 than the bonus paid by the banks for similar deposits; and the same, to-  
 15 gether with the interests and profits as may accrue thereon, shall be dis-  
 16 bursed by said Treasurer for the purposes of the State according to law,  
 17 upon warrants drawn by the Auditor, and not otherwise.

§ 2. As soon as this act takes effect, and as often thereafter as may be-  
 2 come necessary, it shall be the duty of the State Treasurer to cause to be  
 3 printed a circular letter soliciting bids for keeping the public funds for the  
 4 time specified in such bids, and until a new selection shall be made, to be  
 5 sent to the State Treasurer before a day to be therein stated. It shall be  
 6 the further duty of said Treasurer, for the purpose of this section, to divide  
 7 said funds, into twenty equal parts, and the bids may be for one or more  
 8 of such parts. Said circular shall state the conditions to be complied with  
 9 by the bidders, the time during which the keeping of such funds shall con-  
 10 tinue and what each bid shall set forth. The Treasurer shall, as soon as he  
 11 prepares such circular letter, mail one copy thereof to each of the banks  
 12 and banking institutions in this State, and thereupon deposit with the Gov-  
 13 ernor a list of such banks and banking institutions to which he has sent  
 14 such circulars, with a copy of such circular thereto attached. The proposi-  
 15 tions, bids and all memoranda relating thereto shall be first examined by  
 16 the Governor and Attorney General, before sending the same out, and kept  
 17 on file in the office of the Treasurer, subject to the inspection of any and all  
 18 persons desiring to examine the same.

§ 3. The interest or bonus to be paid by any bank under the provisions  
 2 of this act shall be on the average daily balances of the public moneys  
 3 kept on deposit therewith, and shall be paid and credited to the State,  
 4 monthly, on the first day of each and every month, and it is hereby made  
 5 the duty of the State Treasurer to use all reasonable and proper means

6 to secure to the State the best terms and the highest rate of interest con-  
7 sistent with the safe keeping and prompt repayment of the funds of the  
8 State when demanded.

9 § 4. Bids sent to the State Treasurer shall be sealed up in a strong en-  
10 velop, and marked "Bids for the safe keeping and payment of deposits of  
11 the State funds" and the State Treasurer shall indorse thereon the time of  
12 the receipt of such bid. Such bid shall state the interest such bank will  
13 pay on the average daily balances to the credit of the State treasury in  
14 such bank. Said bids shall be directed to the State Treasurer, and by him  
15 opened on the day named in the circular letter as hereinbefore provided  
16 for, in the presence of the Governor and Attorney General, and thereupon  
17 the Treasurer shall select and designate, with the approval of the Governor  
18 and Attorney General, one or more of such banks or banking institutions  
19 as depository or depositories of the State; and as long as said banks or  
20 banking institutions shall remain the depositories of the State, all moneys  
belonging to the State or held in trust by it shall be deposited therein:  
*Provided, however,* that no money shall be deposited in such depository until  
the security stipulated by the Treasurer and approved by the Governor and  
Attorney General shall have been given. The Treasurer may, with the ap-  
proval of the Governor and Attorney General, reject any or all bids, and  
shall then immediately proceed to invite new bids in the manner hereinbe-  
fore provided, and in all cases the banks offering the highest bonus shall  
be selected, if any.

§ 5. For the security of the funds deposited by the Treasurer under the  
provisions of this act, the Governor, Attorney General and Treasurer shall  
require of said selected and approved banks or banking institutions, giving  
security for the safe keeping and payment of said deposits, a bond equal to  
at least twenty-five per cent. of the amount of the accepted bid or bids, to  
be approved by the Governor and Attorney General, and in addition there-

7 to, bonds of the United States, the State of Illinois, or in their discretion  
 8 the registered bonds of the city of Chicago, or in their discretion the regis-  
 9 tered bonds of any county in this State worth not less than par, to an  
 10 amount at least equal in value to the amount of the deposits with such  
 11 bank or banking institutions; which bonds shall be delivered to the State  
 12 Treasurer and receipted for by him and retained by him in the vaults of  
 13 the State Treasury of this State; and if in any case, or at any time, such  
 14 bonds are not satisfactory security to the Governor and Attorney General  
 15 for deposits made under this act, they may require such additional security  
 16 to be given as shall be satisfactory to them, which said bonds or any part  
 17 thereof may from time to time be withdrawn on the written consent of the  
 18 Governor, Attorney General and State Treasurer; and the Governor, Attor-  
 19 ney General and State Treasurer shall from time to time inspect such  
 20 bonds and see that the same are actually kept in the vaults of the State  
 21 Treasury: *Provided*, that a sufficient amount of such bonds to secure said  
 22 deposits shall always be kept in the Treasury; and in the event that said  
 23 bank, banks or banking institutions of deposit shall fail to pay said deposit,  
 24 or any part thereof, on the check or checks of the State Treasurer, then it  
 25 shall be the duty of the State Treasurer to forthwith convert such bonds  
 26 into money and disburse the same according to law, upon the warrants  
 27 drawn by the State Auditor upon the funds for which said bonds were  
 28 security. Any bank making deposit of bonds with the State Treasurer  
 29 under the provisions of this act may cause such bonds to be so indorsed or  
 30 stamped, as to show they are deposited as collateral and not transferable,  
 31 except upon the conditions of this act.

§ 6. The Treasurer shall take from such depository or depositories a  
 2 written contract, in duplicate, setting forth the conditions and times upon  
 3 which the funds of the State are deposited thereinwith, one of which he  
 4 shall file with the Auditor; one provision of which contract shall be that

5 each depository shall, at the end of each month, render to the Treasurer a  
6 statement, in duplicate, showing the daily balances or amount of money of  
7 the State held by it during the month, and the amount of the accrued  
8 interest thereon, separately, one of which the Treasurer shall file as soon as  
9 received, with the State Auditor; which said contract and monthly state-  
10 ments are filed with the Auditor shall be open to inspection of any person  
11 desiring to see the same, at all times.

§ 7. The Treasurer shall keep separate accounts of the funds of the  
2 State, and may require any depository to do the same, showing the name  
3 of each fund to which the money belongs, and the amount of interest paid  
4 by the bank, and said interest shall be apportioned and credited to such  
5 funds monthly.

§ 8. The Treasurer shall keep a separate account of the funds and the  
2 number and amount of warrants received, and from whom, and shall pub-  
3 lish, in such manner as the Governor shall designate, quarterly statements  
4 showing the amount of the State moneys, and where the same are kept and  
5 deposited. A copy of each such publication shall, as soon as ready, be  
6 filed in the offices of the Governor, Auditor and Attorney General, respec-  
7 tively.

§ 9. Each Treasurer hereafter elected shall as soon as he enters upon  
2 the discharge of the duties of his office, issue a circular letter as above  
3 prescribed, and the same duties that by this act devolved upon the present  
4 Treasurer, Attorney General and Governor, in relation to selecting a bank  
5 or banks of deposit, shall devolve upon their successors.

§ 10. The Treasurer, with the approval of the Governor and Attorney  
2 General, shall require the State depositors to give additional personal bonds,  
3 from time to time, as occasion may require, to secure the State against loss  
4 by any depreciation in value that may occur in such bonds held by him as  
5 security for the safe keeping and prompt payment of the State moneys

6 held in such depositories: *Provided, however,* that at no time shall the  
7 amount held by the State Treasurer, as security for the deposit of State  
8 funds, be less in value than the sum of such deposits.

§ 11. The making or receiving directly or indirectly of profit by the  
2 State Treasurer, out of any moneys in the State Treasury belonging to the  
3 State, the custody of which the State Treasurer shall be charged with, by  
4 loaning, depositing or otherwise using or disposing of the same in any  
5 manner whatever, or the removal by the State Treasurer or by his consent,  
6 of such moneys, or any part thereof, or any bonds deposited by any bank  
7 under the provisions of this act, out of the vaults of the treasury department  
8 in the State capitol, except for the payment of warrants drawn, or for the  
9 purpose of depositing the same in bank or banks selected as depositories  
10 under the provisions of this act, or for returning or disposing of said bonds  
11 according to law, shall be deemed a felony, and on conviction thereof sub-  
12 ject him to punishment by imprisonment in the penitentiary for a term of  
13 not less than two years, and he shall also be liable under and upon his  
14 official bond for all profits realized from any such unlawful using of said  
15 funds; and it shall be the duty of the Attorney General to enter and pro-  
16 secute to final determination all suits and indictments for a violation of  
17 any of the provisions of this act.

§ 12. The State Treasurer shall not be responsible for any moneys deposited  
2 in banks under the provisions of this act, while the same remain there de-  
3 posited with the consent of the Governor and Attorney General; but the  
4 State Treasurer shall be chargeable with the safe keeping, management and  
5 disbursement of the bonds deposited with him as security for deposits of  
6 State moneys, and with the proceeds arising from any sale thereof under  
7 the provisions of this act, and his securities on his official bond shall be  
8 held liable for any default in the faithful performance of any duty required  
9 of the said Treasurer under this act.

§ 13. If the State Treasurer or Auditor shall willfully fail or refuse at  
any time to do or perform any act required of him by this act he shall be  
deemed guilty of a misdemeanor and subject to indictment therefor, and  
upon conviction thereof shall be fined five thousand dollars and imprisoned  
in the county jail for a term of six months.





1. Introduced by Mr. Campbell, March 17, 1891, and ordered to first reading.
2. First reading March 17, 1891 and referred to Committee on Railroads.
3. Reported back and ordered to be printed for use of Committee.

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## A BILL

For an act to enable any railroad company whose main line runs near to any county seat to change such line so as to run through such county seat.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

1 *in the General Assembly* That each and every railroad corporation organized  
2 in this State or doing business therein, which has a branch of its railway  
3 running through any county seat, and is compelled by law to run all trains  
4 passing over the line used by it as its main line upon and over said branch  
5 to such county seat, be and it is hereby authorized to re-locate and change  
6 the line used by it as its main line of railway and bring it into or through  
7 such county seat, so that all trains running over said main line may pass  
8 into or through such county seat on said main line and stop thereat to re-  
9 ceive and let off passengers and to put on and take off freight.

1 Whenever any railroad corporation shall have re-located and changed  
2 the line used by it as its main line of railway, as provided in section one  
3 of this act, and shall run all trains over said main line when re-located  
4 into or through such county seat, it shall not be required, notwithstanding  
5 the decision of any court of this State heretofore rendered, to run any  
6 train or trains passing over the line used by it as its main line, upon or  
7 over any part of said branch into said county seat: *Provided, however, it*

8 shall be the duty of any such railroad corporation desiring to avail itself  
 9 of the provisions of this act to so relocate its main line of railroad as to  
 10 bring the same as near to the business center of such county seat as such  
 11 branch of its railroad is now located, and such railroad corporation upon  
 12 its main line so relocated shall build, erect and maintain a good and suffi-  
 13 cient depot as near to the business center of such county seat as the depot  
 14 which may be now located on such branch of its railway, and at such depot  
 15 on said re-located main line of railroad all trains shall stop to receive and  
 16 let off passengers and to put on and take off freight.

§ 3. Every such corporation making the change in the line used by it as  
 2 its main line provided for in section one of this act, is hereby vested with  
 3 full power and authority to acquire lands necessary for the right of way  
 4 and depot purposes for the purpose of making such change in its line and  
 5 for establishing the necessary depots thereon; and if it is unable to obtain  
 6 such lands by purchase it may acquire them in the manner and under the  
 7 conditions provided by the act to provide for the exercise of the right of  
 8 eminent domain.

1. Introduced by Mr. Fuller March 17, 1891, and ordered to first reading.
2. First reading March 17, 1891, and referred to Committee on Warehouses.
3. Reported back April 16, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section two (2) of an act entitled "An act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article thirteen of the constitution of this State," approved April 25, 1871, in force July 1, 1871

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) of an act entitled "An act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article thirteen of the constitution of this State," approved April 25, 1871, in force July 1, 1871, be and the same is hereby amended as to read as follows:

Section 2. Public warehouses of class A shall embrace all warehouses, elevators and granaries in which grain is stored in bulk, and in which the grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of different lots or parcels cannot be accurately preserved, such warehouses, elevators or granaries being located in inspection districts which shall be established by the Board of Railroad and Warehouse Commissioners, so that each of such districts shall have

8 within its limits a city or county whose warehouse and elevator capacity  
9 shall exceed four million bushels of grain.

10 Public warehouses of class B shall embrace all other warehouses, elevators  
11 or granaries in which grain is stored in bulk, and in which the grain of  
12 different owners is mixed together.

13 Public warehouses of class C shall embrace all other warehouses or  
14 places where property of any kind is stored for a consideration.

15 The said Board of Railroad and Warehouse Commissioners may alter or  
16 enlarge the limits of any such inspection district, whenever in their judg  
17 ment the necessities of the case may require, and whenever the boundaries  
18 of any district are so changed or enlarged the chief inspector of grain and  
19 his assistants, and the warehouse register and his assistants of the old  
20 district, shall continue to hold offices respectively in the new district.

21 Whenever said Board of Railroad and Warehouse Commissioners shall  
22 establish a new inspection district, they shall at once notify the Governor,  
23 who shall appoint a chief inspector of grain for said new district, who  
24 shall hold such office until his successor shall have been duly appointed  
25 and confirmed; and the said Board of Railroad and Warehouse Commis  
26 sioners shall also immediately appoint a warehouse registrar and such  
27 assistants as they shall deem necessary for such new inspection district.

1. Introduced by Mr. Secrest March 17, 1891, and ordered to first reading.
2. First reading March 17, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments April 15, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making appropriations for the ordinary and other expenses of the  
State institutions herein named.

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### SECTION 1 *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That there be and is hereby appropriated, for the purpose of defraying the ordinary expenses of the State institutions named in this act, for the year beginning July 1, 1891, the sum of \$975,000, payable quarterly in advance, and that the said appropriations shall be apportioned between the said institutions as follows:

To the Northern Hospital for the Insane.....	\$ 70,000
To the Eastern Hospital for the Insane.....	241,000
To the Central Hospital for the Insane.....	108,000
To the Southern Hospital for the Insane.....	80,000
To the Institution for the Deaf and Dumb.....	92,000
To the Institution for the Blind.....	40,000
To the Asylum for Feeble Minded Children.....	62,000
To the Soldiers' and Sailors' Home.....	150,000
To the Soldiers' Orphans' Home.....	50,000
To the Charitable Eye and Ear Infirmary.....	28,000

1081		
17	To the State Reform School.....	\$56,000
18		—
19	Total.....	\$ 975,000

§ 2. For the purpose of defraying the ordinary expenses of the said

2 institutions, for the year beginning July 1, 1892, the sum of \$1,046,000 is  
 3 appropriated, payable quarterly in advance, (which amount shall be appor-  
 4 tioned among them as follows), and at the same rate thereafter, until the  
 5 expiration of the first fiscal quarter after the adjournment of the next  
 6 General Assembly:

7	To the Northern Hospital for the Insane.....	\$ 88,000
8	To the Eastern Hospital for the Insane.....	236,000
9	To the Central Hospital for the Insane.....	136,000
10	To the Southern Hospital for the Insane.....	94,000
11	To the Institution for the Deaf and Dumb.....	100,000
12	To the Institution for the Blind.....	40,000
13	To the Asylum for Feeble Minded Children.....	66,000
14	To the Soldiers' and Sailors' Home.....	150,000
15	To the Soldiers' Orphans' Home.....	54,000
16	To the Charitable Eye and Ear Infirmary.....	26,000
17	To the State Reform School.....	56,000
18		—
19	Total.....	\$1,046,000

§ 3. For the purpose of defraying the additional ordinary expenses

2 involved in the care of nine hundred additional insane patients in the  
 3 additions recently made to the hospitals for the insane at Elgin, Jackson-  
 4 ville, and Anna; also, of one hundred additional pupils in the Asylum for  
 5 Feeble Minded Children at Lincoln; and for the purpose of defraying  
 6 the cost of caring for one hundred insane criminals at Chester, the sum of  
 7 \$150,000 per annum is appropriated, payable as follows: To the Northern

8 Hospital for the Insane, \$37,500; to the Central Hospital for the Insane,  
 9 \$37,500; to the Southern Hospital for the Insane, \$37,500; to the Asylum for  
 10 Feeble Minded Children, \$12,500; and to the Asylum for Insane Criminals,  
 11 \$25,000; this appropriation to be paid quarterly in advance, until the expira-  
 12 tion of the first fiscal quarter after the adjournment of the next General  
 13 Assembly: *Provided*, that no portion of the appropriation herein made shall  
 14 be due and payable to either of the institutions named in this section until  
 15 the said institution shall be completed and fully ready to receive the  
 16 patients or pupils herein provided for, which fact shall first be ascertained  
 17 to the satisfaction of the Governor and by him certified to the Auditor  
 18 of Public Accounts, and then and from that date so much of the appropria-  
 19 tion herein made as is due and payable to the said institution shall take  
 20 effect.

§ 4. For the purpose of enabling the institutions to make such repairs  
 2 and improvements as may be necessary or desirable, the sum of \$50,000 per  
 3 annua is appropriated, as follows:

4	To the Northern Hospital for the Insane.....	\$3,000
5	To the Eastern Hospital for the Insane.....	10,000
6	To the Central Hospital for the Insane.....	8,000
7	To the Southern Hospital for the Insane.....	6,000
8	To the Asylum for the Criminal Insane.....	1,000
9	To the Institution for the Deaf and Dumb.....	5,000
10	To the Institution for the Blind.....	2,000
11	To the Asylum for Feeble Minded Children.....	2,000
12	To the Soldiers' and Sailors' Home.....	5,000
13	To the Soldiers' Orphans' Home.....	2,000
14	To the Charitable Eye and Ear Infirmary.....	1,000
15	To the State Reform School.....	2,000
16		-----
17	Total.....	\$50,000

§ 5. For the maintenance of libraries for the use of inmates and employees of the several institutions, including subscriptions for periodical publications and the purchase of bookcases or other necessary library furniture, the sum of \$3,700 per annum is appropriated as follows:

To the Northern Hospital for the Insane.....	\$ 400
To the Eastern Hospital for the Insane.....	850
To the Central Hospital for the Insane .....	600
To the Southern Hospital for the Insane.....	250
To the Asylum for the Criminal Insane.....	100
To the Institution for the Deaf and Dumb .....	300
To the Institution for the Blind.....	100
To the Asylum for Feeble Minded Children.....	200
To the Soldiers' and Sailors' Home.....	400
To the Soldiers' Orphans' Home.....	200
To the Charitable Eye and Ear Infirmary.....	100
To the State Reform School.....	200
	-----
Total.....	\$3,700

§ 6. The moneys herein appropriated shall be due and payable to the trustees of the several institutions named, or to their order, only on the terms and in the manner provided in the nineteenth section of an act entitled "An act to regulate the State charitable institutions and the State reform school and to improve their organization and increase their efficiency," approved April 15, 1875.



PROPOSED AMENDMENTS TO SENATE BILL No. 236, BY THE COMMITTEE ON APPROPRIATIONS.

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Amendment 1--Amend section 1, by striking out of line 4, the figures \$975,000 and insert the figures \$979,000, in lieu thereof.

Amendment 2--Amend section 1, by striking out of line 7, the figures \$70,000 and insert the figures \$75,000, in lieu thereof.

Amendment 3--Amend line 18, section 1, by striking out the figures \$62,000 and insert \$66,000, in lieu thereof.

Amendment 4--Amend line 14, section 1, by striking out the figures \$150,000 and insert the figures \$145,000, in lieu thereof.

Amendment 5--Amend line 19, section 1, by striking out the figures \$975,000 and insert the figures \$979,000, in lieu thereof.

Amendment 6--Amend line 2, section 2, by striking out the figures \$1,046,000 and insert figures \$1,041,000, in lieu thereof.

Amendment 7--Amend section 2, by striking out of line 14, the figures \$150,000 and insert the figures \$146,000, in lieu thereof.

Amendment 8--Amend section 2, by striking out of line 19, the figures \$1,046,000 and insert the figures \$1,041,000, in lieu thereof.

Amendment 9--Amend section 5, by striking out of line 4, the figures \$3,700 and insert the figures \$4,350 in lieu thereof. Amend section 5, line 8, by striking out the figures \$250 and insert \$400, in lieu thereof.

Amendment 10--Amend section 5, by striking out of line 10, the figures \$300 and insert the figures \$500, in lieu thereof.

Amendment 11--Amend section 5, by striking out of line 11, the figures \$100 and insert the figure \$200, in lieu thereof.

Amendment 12--Amend section 5, by striking out of section 5, line 13, the figures \$400 and insert the figures \$500 in lieu thereof.

Amendment 13—Amend section 5, by striking out of line 14, the figures \$200 and insert the figures \$300, in lieu thereof.

Amendment 14—Amend section 5, by striking out of line 18, the figures \$3,700 and insert the figures \$4,350.

Amendment 15—Amend by inserting after section 5, a new section to be numbered section 6, as follows:

Section 6. For defraying the cost of transfers of insane patients which  
 2 may be ordered by the State Commissioners of Public Charities, in conse-  
 3 quence of changes made in the boundaries of the insane districts of this  
 4 State, or of the removal of criminal insane patients to the asylum for the  
 5 criminal insane at Chester, the sum of \$6,000 is appropriated, to be expended  
 6 at the said commissioners may direct, and all bills for expenses incurred  
 7 by them under the authority hereby conferred upon the said commissioners  
 8 shall be paid directly from the State treasury, on bills of particulars, to be  
 9 approved by the Governor, and shall not be charged to the account of the  
 10 State hospitals for the insane nor carried upon their books.

Amendment 16—Amend line 1, of section 6, of the written bill by striking out the figure 6 and substituting therefor the figure 7.

- 1. Introduced by Mr. Secrest March 17, 1891, and ordered to first reading.
- 2. First reading March 17, 1891, and referred to Committee on Appropriations.
- 3. Reported back with amendments April 15, 1891, passage recommended, and ordered to be re-committed.
- 4. Reported back with amendments April 29, 1891, passage recommended and ordered to second reading.

**A BILL**

For an act making appropriations for the ordinary and other expenses of the State institutions herein named.

*SECTION 1. Be it enacted by the People of the State of Illinois, represented*

*2 in the General Assembly, That there be and is hereby appropriated, for the*  
*3 purpose of defraying the ordinary expenses of the State institutions named*  
*4 in this act, for the year beginning July 1, 1891, the sum of \$975,000, payable*  
*5 quarterly in advance, and that the said appropriations shall be apportioned*  
*6 between the said institutions as follows:*

7	To the Northern Hospital for the Insane.....	\$ 70,000
8	To the Eastern Hospital for the Insane.....	241,000
9	To the Central Hospital for the Insane.....	108,000
10	To the Southern Hospital for the Insane, .....	80,000
11	To the Institution for the Deaf and Dumb.....	92,000
12	To the Institution for the Blind.....	40,000
13	To the Asylum for Feeble Minded Children.....	62,000
14	To the Soldiers' and Sailors' Home.....	150,000
15	To the Soldiers' Orphans' Home.....	50,000
16	To the Charitable Eye and Ear Infirmary.....	26,000

17	To the State Reform School.....	\$55,000
18		-----
19	Total.....	\$ 975,000

§ 2. For the purpose of defraying the ordinary expenses of the said institutions, for the year beginning July 1, 1892, the sum of \$1,046,000 is appropriated, payable quarterly in advance, (which amount shall be apportioned among them as follows), and at the same rate thereafter, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly:

7	To the Northern Hospital for the Insane.....	\$ 88,000
8	To the Eastern Hospital for the Insane.....	226,000
9	To the Central Hospital for the Insane.....	136,000
10	To the Southern Hospital for the Insane.....	94,000
11	To the Institution for the Deaf and Dumb.....	100,000
12	To the Institution for the Blind.....	40,000
13	To the Asylum for Feeble Minded Children.....	66,000
14	To the Soldiers' and Sailors' Home.....	150,000
15	To the Soldiers' Orphans' Home.....	54,000
16	To the Charitable Eye and Ear Infirmary.....	26,000
17	To the State Reform School.....	55,000
18		-----
19	Total.....	\$1,046,000

§ 3. For the purpose of defraying the additional ordinary expenses involved in the care of nine hundred additional insane patients in the additions recently made to the hospitals for the insane at Elgin, Jacksonville, and Anna; also, of one hundred additional pupils in the Asylum for Feeble Minded Children at Lincoln; and for the purpose of defraying the cost of caring for one hundred insane criminals at Chester, the sum of \$150,000 per annum is appropriated, payable as follows: To the Northern

8 Hospital for the Insane, \$37,500; to the Central Hospital for the Insane,  
 9 \$37,500; to the Southern Hospital for the Insane, \$37,500; to the Asylum for  
 10 Feeble Minded Children, \$12,500; and to the Asylum for Insane Criminals,  
 11 \$25,000; this appropriation to be paid quarterly in advance, until the expira-  
 12 tion of the first fiscal quarter after the adjournment of the next General  
 13 Assembly: *Provided*, that no portion of the appropriation herein made shall  
 14 be due and payable to either of the institutions named in this section until  
 15 the said institution shall be completed and fully ready to receive the  
 16 patients or pupils herein provided for, which fact shall first be ascertained  
 17 to the satisfaction of the Governor and by him certified to the Auditor  
 18 of Public Accounts, and then and from that date so much of the appropria-  
 19 tion herein made as is due and payable to the said institution shall take  
 20 effect.

§ 4. For the purpose of enabling the institutions to make such repairs  
 2 and improvements as may be necessary or desirable, the sum of \$50,000 per  
 3 annum is appropriated, as follows:

4	To the Northern Hospital for the Insane.....	\$3,000
5	To the Eastern Hospital for the Insane.....	10,000
6	To the Central Hospital for the Insane.....	8,000
7	To the Southern Hospital for the Insane.....	6,000
8	To the Asylum for the Criminal Insane.....	1,000
9	To the Institution for the Deaf and Dumb.....	5,000
10	To the Institution for the Blind.....	2,000
11	To the Asylum for Feeble Minded Children.....	2,000
12	To the Soldiers' and Sailors' Home.....	5,000
13	To the Soldiers' Orphans' Home.....	2,000
14	To the Charitable Eye and Ear Infirmary.....	1,000
15	To the State Reform School.....	2,000
16		
17	Total.....	\$50,000

§ 5. For the maintenance of libraries for the use of inmates and employees of the several institutions, including subscriptions for periodical publications and the purchase of bookcases or other necessary library furniture, the sum of \$3,700 per annum is appropriated as follows:

To the Northern Hospital for the Insane.....	\$ 400
To the Eastern Hospital for the Insane.....	850
To the Central Hospital for the Insane.....	600
To the Southern Hospital for the Insane.....	250
To the Asylum for the Criminal Insane.....	100
To the Institution for the Deaf and Dumb.....	300
To the Institution for the Blind.....	100
To the Asylum for Feeble Minded Children.....	200
To the Soldiers' and Sailors' Home.....	400
To the Soldiers' Orphans' Home.....	200
To the Charitable Eye and Ear Infirmary.....	100
To the State Reform School.....	200
Total.....	\$3,700

§ 6. The moneys herein appropriated shall be due and payable to the trustees of the several institutions named, or to their order, only on the terms and in the manner provided in the nineteenth section of an act entitled "An act to regulate the State charitable institutions and the State reform school and to improve their organization and increase their efficiency," approved April 15, 1875.

**PROPOSED AMENDMENTS TO SENATE BILL No. 236, BY THE COM-  
MITTEE ON APPROPRIATIONS.**

1. Amend section 1, by striking out of line 4, the figures "\$975,000" and insert the figures "\$970,000," in lieu thereof.

2. Amend section 1, by striking out of line 7, the figures "\$70,000" and insert the figures "\$75,000" in lieu thereof.

3. Amend line 13, section 1, by striking out the figures "\$62,000" and insert "\$60,000," in lieu thereof.

4. Amend line 14, section 1, by striking out the figures "\$150,000" and insert the figures "\$145,000," in lieu thereof.

5. Amend line 19, section 1, by striking out the figures "\$975,000" and insert the figures "\$970,000," in lieu thereof.

6. Amend line 2, section 2, by striking out the figures "\$1,046,000" and insert "\$1,041,000," in lieu thereof.

7. Amend section 2, by striking out of line 14, the figures "\$150,000" and insert the figures "\$145,000," in lieu thereof.

8. Amend section 2, by striking out of line 19, the figures "\$1,046,000" and insert the figures "\$1,041,000," in lieu thereof.

9. Amend section 5, by striking out of line 4, the figures "\$3,700" and insert the figures "\$4,750," in lieu thereof. Amend section 5, line 8, by striking out the figures "\$250" and insert "\$400," in lieu thereof.

10. Amend section 5, by striking out of line 10, the figures "\$300" and insert the figures "\$500," in lieu thereof.

11. Amend section 5, by striking out of line 11, the figures "\$400" and insert the figures "\$200," in lieu thereof.

12. Amend by striking out of section 5, line 13, the figures "\$400," and insert the figures "\$500" in lieu thereof.

18. Amend section 5, by striking out of line 14, the figures "\$200" and insert the figures "\$300," in lieu thereof.

14. Amend section 5, by striking out of line 18, the figures "\$3,700" and insert the figures "\$4,350."

15. The Committee on Appropriations further amend by striking out of section 2, the figures "\$136,000" and insert the figures "\$141,000," in lieu thereof. Amend by inserting after section 5, a new section to be numbered section 6, as follows:

Section 6. For defraying the cost of transfers of insane patients which  
 2 may be ordered by the State Commissioners of Public Charities, in conse-  
 3 quence of changes made in the boundaries of the insane districts of this  
 4 State, or of the removal of criminal insane patients to the asylum for the  
 5 criminal insane at Chester, the sum of \$6,000 is appropriated, to be expended  
 6 as the said commissioners may direct, and all bills for expenses incurred  
 7 by them under the authority hereby conferred upon the said commissioners  
 8 shall be paid directly from the State treasury, on bills of particulars, to be  
 9 approved by the Governor, and shall not be charged to the account of the  
 10 State hospitals for the insane nor carried upon their books.

16. Amend line 1, of section 6, of the written bill by striking out the figure "6" and substituting therefor the figure "7."



- 1. Introduced by Mr. Secrest March 17, 1891, and ordered to first reading.
- 2. First reading March 17, 1891, and referred to Committee on Appropriations.
- 3. Reported back with amendments April 15, 1891, passage recommended, and ordered to be re-committed.
- 4. Reported back with amendments April 20, 1891, passage recommended and ordered to second reading.
- 5. Second reading May 7, 1891, amended, and ordered to third reading.

A BILL

For an act making appropriations for the ordinary and other expenses of the State institutions herein named.

*Section 1. Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That there be and is hereby appropriated, for the purpose of defraying the ordinary expenses of the State institutions named in this act, for the year beginning July 1, 1891, the sum of \$979,000, payable quarterly in advance, and that the said appropriations shall be apportioned between the said institutions as follows:

To the Northern Hospital for the Insane .....	\$ 75,000
To the Eastern Hospital for the Insane .....	241,000
To the Central Hospital for the Insane .....	108,000
To the Southern Hospital for the Insane .....	80,000
To the Institution for the Deaf and Dumb.....	92,000
To the Institution for the Blind .....	40,000
To the Asylum for Feeble Minded Children.....	66,000
To the Soldiers' and Sailors' Home.....	145,000
To the Soldiers' Orphans' Home.....	50,000
To the Charitable Eye and Ear Infirmary .....	26,000

17	To the State Reform School.....	\$56,000
18		-----
19	Total.....	\$ 979,000

§ 2. For the purpose of defraying the ordinary expenses of the said institutions, for the year beginning July 1, 1892, the sum of \$1,046,000 is appropriated, payable quarterly in advance, (which amount shall be apportioned among them as follows), and at the same rate thereafter, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly:

7	To the Northern Hospital for the Insane .....	\$ 88,000
8	To the Eastern Hospital for the Insane .....	236,000
9	To the Central Hospital for the Insane .....	141,000
10	To the Southern Hospital for the Insane .....	94,000
11	To the Institution for the Deaf and Dumb.....	100,000
12	To the Institution for the Blind.....	40,000
13	To the Asylum for Feeble Minded Children.....	66,000
14	To the Soldiers' and Sailors' Home.....	145,000
15	To the Soldiers' Orphans' Home.....	54,000
16	To the Charitable Eye and Ear Infirmary.....	26,000
17	To the State Reform School.....	56,000
18		-----
19	Total.....	\$1,046,000

§ 3. For the purpose of defraying the additional ordinary expenses involved in the care of nine hundred additional insane patients in the additions recently made to the hospitals for the insane at Elgin, Jacksonville, and Anna; also, of one hundred additional pupils in the Asylum for Feeble Minded Children at Lincoln; and for the purpose of defraying the cost of caring for one hundred insane criminals at Chester, the sum of \$150,000 per annum is appropriated, payable as follows: To the Northern

8 Hospital for the Insane, \$37,500; to the Central Hospital for the Insane,  
 9 \$37,500; to the Southern Hospital for the Insane, \$37,500; to the Asylum for  
 10 Feeble-Minded Children, \$12,000; and to the Asylum for Insane Criminals,  
 11 \$25,000; this appropriation to be paid quarterly in advance, until the expira-  
 12 tion of the first fiscal quarter after the adjournment of the next General  
 13 Assembly: *Provided*, that no portion of the appropriation herein made shall  
 14 be due and payable to either of the institutions named in this section until  
 15 the said institution shall be completed and fully ready to receive the  
 16 patients or pupils herein provided for, which fact shall first be ascertained  
 17 to the satisfaction of the Governor, and by him certified to the Auditor  
 18 of Public Accounts, and then and from that date so much of the appropria-  
 19 tion herein made as is due and payable to the said institution shall take  
 20 effect.

1 For the purpose of enabling the institutions to make such repairs  
 2 and improvements as may be necessary or desirable, the sum of \$50,000 per  
 3 annum is appropriated, as follows:

4	To the Northern Hospital for the Insane, .....	\$3,000
5	To the Eastern Hospital for the Insane, .....	10,000
6	To the Central Hospital for the Insane, .....	8,000
7	To the Southern Hospital for the Insane, .....	6,000
8	To the Asylum for the Criminal Insane, .....	1,000
9	To the Institution for the Deaf and Dumb, .....	5,000
10	To the Institution for the Blind, .....	2,000
11	To the Asylum for Feeble-Minded Children, .....	2,000
12	To the Soldiers' and Sailors' Home, .....	5,000
13	To the Soldiers' Orphans' Home, .....	2,000
14	To the Charitable Eye and Ear Infirmary, .....	1,000
15	To the State Reform School, .....	2,000
16		
17	Total, .....	\$50,000

§ 5. For the maintenance of libraries for the use of inmates and employees of the several institutions, including subscriptions for periodical publications and the purchase of bookcases or other necessary library furniture, the sum of \$4,350 per annum is appropriated as follows:

To the Northern Hospital for the Insane.....	\$ 400
To the Eastern Hospital for the Insane.....	850
To the Central Hospital for the Insane.....	600
To the Southern Hospital for the Insane.....	400
To the Asylum for the Criminal Insane.....	100
To the Institution for the Deaf and Dumb.....	500
To the Institution for the Blind.....	200
To the Asylum for Feeble Minded Children.....	200
To the Soldiers' and Sailors' Home.....	500
To the Soldiers' Orphans' Home.....	300
To the Charitable Eye and Ear Infirmary.....	100
To the State Reform School.....	200
<hr/>	
Total.....	\$4,350

Section 6. For defraying the cost of transfers of insane patients which may be ordered by the State Commissioners of Public Charities, in consequence of changes made in the boundaries of the insane districts of this State, or of the removal of criminal insane patients to the asylum for the criminal insane at Chester, the sum of \$6,000 is appropriated, to be expended as the said commissioners may direct, and all bills for expenses incurred by them under the authority hereby conferred upon the said commissioners shall be paid directly from the State treasury, on bills of particulars, to be approved by the Governor, and shall not be charged to the account of the State hospitals for the insane nor carried upon their books.

§ 7. The moneys herein appropriated shall be due and payable to the

2 trustees of the several institutions named, or to their order, only on the  
3 terms and in the manner provided in the nineteenth section of an act  
4 entitled "An act to regulate the State charitable institutions and the State  
5 reform school and to improve their organization and increase their efficiency,"  
6 approved April 15, 1875.



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1. Introduced by Mr. Kerrick, March 17, 1891, and ordered to first reading.
  2. First reading March 17, 1891, and referred to Committee on Judiciary.
  3. Reported back March 24, 1891, passage recommended, and ordered to second reading.
- 

## A BILL

For an act to provide that the railroad and warehouse commission may keep and use a common seal for the authentication of its acts, records and proceedings.

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SECTION 1. *Be it enacted by the People of the State of Illinois represented*

- 2 *in the General Assembly,* That the railroad and warehouse commission of this
- 3 State may, for the authentication of its records, process and proceedings,
- 4 adopt, keep and use a common seal, of which seal judicial notice shall be
- 5 taken in all courts of this State; and any process, writ, notice or other
- 6 paper which the said commission may be authorized by law to issue shall
- 7 be deemed sufficient if signed by the secretary of said commission and
- 8 authenticated by such seal; and all acts, orders, proceedings, rules of in-
- 9 spection, entries, minutes and records of said commission may be proved
- 10 in any court of this State by a copy thereof, certified to by the secretary
- 11 of said commission, with the seal of said commission attached.





1. Introduced by Mr. Kernock, March, 17, 1891, and ordered to first reading.
2. First reading March 17, 1891, and referred to Committee on Judiciary.
3. Reported back March 24, 1891, passage recommended, and ordered to second reading.
4. Second reading April 2, 1891, amended and ordered to a third reading.

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## A BILL

For an act to provide that the railroad and warehouse commission may keep and use a common seal for the authentication of its acts, records and proceedings.

---

**SECTION 1** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the railroad and warehouse commission of this State may, for the authentication of its records, process and proceedings, adopt, keep and use a common seal, of which seal judicial notice shall be taken in all courts of this State; and any process, writ, notice or other paper which the said commission may be authorized by law to issue shall be deemed sufficient if signed by the secretary of said commission and authenticated by such seal; and all acts, orders, proceedings, rules of inspection, entries, minutes, schedules and records of said commission may be proved in any court of this State by a copy thereof, certified to by the secretary of said commission, with the seal of said commission attached,



1. Introduced by Mr. Mathews March 18, 1891, and ordered to first reading.
2. First reading March 18, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back with amendments April 16, 1891, passage recommended and referred to Committee on Appropriations.
4. Reported back with amendments May 8, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act making appropriations for the University of Illinois.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there be and is hereby appropriated to the  
3 University of Illinois at Urbana, for the payment of taxes accruing in the  
4 years 1891 and 1892, on lands owned by the State and held for the uses of  
5 the said university, in the counties of Pope, Kandiyohi and Renville, in the  
6 State of Minnesota, the sum of one thousand six hundred dollars (\$1,600)  
7 per annum.

8 For current repairs and improvements on buildings and grounds for the  
9 said university during the years 1891 and 1892, the sum of three thousand  
10 dollars (\$3,000) per annum.

11 For the purchase of new and improved apparatus and material for use in  
12 the various laboratories of the university for the years 1891 and 1892, the  
13 sum of one thousand five hundred dollars (\$1,500) per annum.

14 For current expenses of educational work and the practical instruction of

15 students in the mechanical shops of the said university for the years 1891  
16 and 1892, the sum of two thousand dollars (\$2,000) per annum.

17 For the university library and museum, for the years 1891 and 1892, to wit:  
18 For the purchase of books and publications and for binding the same, one  
19 thousand five hundred dollars (\$1,500) per annum; for collecting, preparing,  
20 and mounting specimens for the cabinets of geology, mineralogy and natural  
21 history, one thousand dollars (\$1,000) per annum.

22 For current expenses of instruction in the several departments of the uni-  
23 versity, for the years 1891 and 1892, the sum of twenty thousand dollars  
24 (\$20,000) per annum.

25 For the purchase of a boiler and other necessary apparatus for heating the  
26 military hall and setting the same, the sum of four thousand five hundred  
27 dollars (\$4,500).

28 For rebuilding at the north farm, the barn and sheds destroyed by fire,  
29 the sum of three thousand five hundred dollars (\$3,500).

30 For furniture, the sum of two thousand dollars (\$2,000).

31 For the erection of a natural science building, as per plans and specifica-  
32 tions herewith, sixty thousand dollars (\$60,000); for necessary heating ap-  
33 paratus, furniture, and fixtures for the same, the sum of twenty thousand  
34 dollars (\$20,000); the whole amounting to eighty thousand dollars (\$80,000).  
35 forty thousand dollars (\$40,000) of the same in the year 1891 and forty thou-  
36 sand dollars (\$40,000) in the year 1892.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to  
2 draw his warrant on the Treasurer for the sums herein appropriated, pay-  
3 ble out of any money in the treasury not otherwise appropriated, upon the  
4 order of the president of the board of trustees of the said university, at-  
5 tested by its secretary, and with the corporate seal of the university: *Pro-*  
6 *vided*, that no part of the said sums shall be due and payable to said in-  
7 stitution until satisfactory vouchers in detail, approved by the Governor,

8 shall be filed with the Auditor for all previous expenditures incurred by the  
9 institution on account of appropriations heretofore made: *And provided,*  
10 *further,* that vouchers shall be taken in duplicate, and original or duplicate  
11 vouchers shall be forwarded to the Auditor of Public Accounts for the ex-  
12 penditure of the sums appropriated in this act.

PROPOSED AMENDMENTS TO SENATE BILL NO. 239, BY THE COM-  
MITTEE ON APPROPRIATIONS.

1. Amend section 1 by striking out the words and figures in lines 8 and  
9 "three thousand dollars (\$3,000)" and insert the figures "\$2,500" in lieu thereof.

2. Amend section 1 by striking out the words and figures in line 28, "five  
thousand five hundred dollars," and insert the figures "\$3,500" in lieu thereof.

3. Amend section 1 by striking out the words and figures in line 29, "two  
thousand dollars (\$2,000)" and insert the figures "\$1,000" in lieu thereof.



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AMENDMENTS TO SENATE BILL No. 239—IN HOUSE.

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Adopted by the House of Representatives June 6, 1891. **Ordered printed** and engrossed June 6, 1891.

1. Amend section 1 by striking out in line 10 of the printed bill the words and figures "two thousand dollars (\$2,000)," and insert the words and figures "fifteen hundred dollars (\$1,500)."

2. Amend same section by striking out in line 19 of the printed bill the words and figures "fifteen hundred dollars (\$1,500)," and insert the words and figures "one thousand dollars (\$1,000)" in place thereof.

3. Amend section 1 by striking out in line 21 of the printed bill the words and figures "one thousand dollars (\$1000)," and insert the words "five hundred dollars" in place thereof.

4. Amend same section by striking out in lines 26 and 27 of the printed bill the words and figures "four thousand five hundred dollars (\$4500)," and insert the words "three thousand five hundred dollars" in place thereof.

5. Amend same section by striking out of line 29 of the printed bill the words and figures "three thousand five hundred dollars (\$3500)," and insert the words "twenty-five hundred dollars" in place thereof.

6. Amend same section by striking out in lines 33 and 34 of the printed bill the words and figures "twenty thousand (\$20,000)," and insert the words "ten thousand" in place thereof.

7. Amend line 34 of same section by striking out the words and figures "eighty thousand dollars (\$80,000)" and insert the words and figures "seventy thousand dollars (\$70,000)," in place thereof.

8. Amend same section by striking out in line 35 of the printed bill the

words and figures "forty thousand dollars (\$40,000)," and insert the words "thirty-five thousand dollars," in place thereof; also in same section, lines 35 and 36, amend by striking out the words and figures "forty thousand dollars (\$40,000)," and insert the words and figures "thirty-five thousand dollars (35 000)," in place thereof.



1. Introduced by Mr. Sheets March 18, 1891, and ordered to first reading.
5. First reading March 18, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back April 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to establish the Illinois State Dairyman's Association.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the organization heretofore chartered and aided by appropriations, under the name of the Illinois State Dairyman's Association, is hereby made and declared a public corporation of the State.

§ 2. The affairs of the Illinois State Dairyman's Association shall be managed by the directors of said association, which board of directors shall be composed of seven (7) members, of whom the president and vice-president shall be members, and the president ex-officio chairman: *Provided*, that the eligible officers and directors now elect of the Illinois State Dairyman's Association shall be the first officers and directors, created by this act, and shall hold their office until their successors are elected as herein provided for.

§ 3. The board of directors of the Illinois State Dairyman's Association shall have the sole care and disposal of all funds that may be appropriated by the State of Illinois to sustain the Illinois State Dairyman's Association, and shall expend the same in such manner as in their judgment will best promote the interest of dairying in this State. They shall meet at Springfield on the second Tuesday after the first Monday in January, 1892, and

7 biennially thereafter. They shall render to the Governor of the State a  
8 detailed statement of all funds received from the State and other sources,  
9 which statement shall also include all expenditures made by them, and the  
10 specific objects in detail for which said sums were expended. They shall  
11 make no appropriations without having funds in hand to meet the same,  
12 and if any debt is created, the members of the board shall be held severally  
13 and jointly liable for the payment of the same, and in no event shall the  
14 State of Illinois be held liable or responsible for any debt, obligation or  
15 contract made by the Illinois State Dairyman's Association or its directors.

§ 4. The Illinois State Dairyman's Association shall hold annual meetings  
2 at which the officers and directors for the ensuing year shall be elected.  
3 Said association shall publish annually, at their own expense, a report of  
4 their transactions and such other papers as they may deem of value to the  
5 dairy interest of the State. Any by-laws and rules that do not conflict  
6 with the laws of this State may be passed and enforced by the association  
7 herein mentioned.

1. Introduced by Committee on Railroads March 19, 1891, and ordered to first reading.
2. First reading March 19, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to protect persons and property from danger at the crossings and junctions of railroads by providing a method to compel the protection of the same.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That in every case where the main tracks of two or more railroads cross at a grade in this State, any company owning or operating any one of such tracks, whose managers may desire to unite with others by protecting such crossing with interlocking or other safety devices, may file with the Railroad and Warehouse Commission a petition stating the facts of the situation, and asking said Railroad and Warehouse Commission to order such crossing to be protected by interlocking signals, devices and switches, or other safety appliances. Said petition shall be accompanied by a plat showing the location of all tracks; and upon the filing thereof, notice shall be given to each other company or person owning or operating any track involved in such crossing, and the said Railroad and Warehouse Commission shall thereupon view the site of such crossing, and shall, as soon as practicable, appoint a time and place for the hearing of such petition.

§ 2. If the said Railroad and Warehouse Commission shall, from information obtained in any manner, have cause to believe that any such grade

3 crossing, as described in section one of this act, is dangerous to the public  
4 or to persons operating trains, and requires protection, then it shall be the  
5 duty of the said commission, without any petition, and of its own motion,  
6 to cite the several companies or persons owning or operating the railway  
7 tracks forming such crossing, to come before said commission at such time  
8 and place as may be named, and show cause why they should not be re-  
9 quired to provide such crossing with interlocking or other safety appliances.

§ 3. At the time and place named for hearing under any petition filed in  
2 pursuance of section one of this act, or in any citation issued in pursuance  
3 of section two thereof, unless the hearing is for good cause continued, said  
4 Railroad and Warehouse Commission shall proceed to try the question  
5 whether or not the crossing shall be protected by interlocking, or otherwise,  
6 and shall give to all companies and parties interested an opportunity to be  
7 fully heard, and said commission shall, after such hearing, enter an order  
8 upon a record book or docket to be kept for the purpose, denying the peti-  
9 tion or discharging the citation if the protection of such crossing as proposed  
10 is deemed unnecessary, or if said commission shall be of opinion, from the  
11 evidence and facts produced, that the public good requires that such cross-  
12 ing be protected, then the commission shall enter an order prescribing an  
13 interlocking device or equipment for such crossing, in case the companies  
14 interested cannot agree upon a device, in which order shall be specified the  
15 kind of machine to be used, the switches, signals and other devices or  
16 appliances to be put in, and the location thereof, and all other matters  
17 which may be deemed proper for the efficient protection of such crossing,  
18 and said commission shall further designate, in such order, the proportion  
19 of the cost of the construction of such plant, and of the expense of main-  
20 taining and operating the same, which each of the companies or persons  
21 concerned shall pay. In case, however, one railroad company shall hereafter  
22 seek to cross at grade with its track or tracks, the track or tracks of an-

23 other railroad company, and the Railroad and Warehouse Commission shall  
24 determine that interlocking or other safety appliances, shall be put in, the  
25 railroad company seeking to cross at grade shall be compelled to pay all  
26 cost of such appliances, together with the expense of putting them in and  
27 the future maintenance thereof.

§ 4. It shall be the duty of every railroad company or person owning or  
2 operating any track involved in any such crossing to comply with and carry  
3 out fully, or unite with the others in doing so, any order of the said Rail-  
4 road and Warehouse Commission made in pursuance of any proceeding in-  
5 stituted or had under this act, such work to be completed within ninety days  
6 after such order is made unless the Railroad and Warehouse Commission  
7 shall for good cause shown extend the time; and when any such plant shall  
8 have been completed and made ready for use, it shall be the duty of the  
9 companies or persons concerned to notify the said Railroad and Warehouse  
10 Commission thereof, whereupon said commission shall inspect or cause to be  
11 inspected the said completed plant in the same manner as is now provided  
12 in the act upon that subject, approved June 3, 1887; and if, upon such in-  
13 spection, the said plant is deemed to be well constructed and suitable and  
14 sufficient for the purpose, the said Railroad and Warehouse Commission  
15 shall issue a permit empowering the several companies or persons owning or  
16 operating the tracks involved therein to run such crossing without stop-  
17 ping, under such rules and regulations as may be in force, or may thereafter  
18 be adopted, by the said commission, any law now in force upon the subject  
19 of stopping trains at railway crossings to the contrary notwithstanding.

§ 5. Any company, person or corporation refusing or neglecting to comply  
2 with any order made by the said Railroad and Warehouse Commission in  
3 pursuance of this act shall forfeit and pay a penalty of \$200 for each week  
4 of such refusal and neglect, the same to be recovered in an action of debt  
5 in the name of the People of the State of Illinois, and to be paid, when

6 collected, into the county treasury of any county where any such suit may  
7 be tried.

§ 6. All expenses incurred in any proceeding under this act shall be paid  
2 by the railway companies concerned, in equal portions, upon bills to be  
3 rendered by the secretary of said commission.

§ 7. Every junction of two or more railroad tracks, whether the tracks  
2 joining each other are owned by different companies or by the same com-  
3 pany, shall be taken and deemed to be a crossing within the meaning of  
4 this act: *Provided*, that this section shall not apply to switch, spur or side  
5 tracks.

1. Introduced by Mr. Zearing March 19, 1891, and ordered to first reading.
  2. First reading March 19, 1891, and referred to Committee on Roads, Highways and Bridges.
  3. Reported back with amendments May 22, 1891, passage recommended, and ordered to second reading.
- 

SECTION 1. *Be it enacted by the People of the State of Illinois represented*

2 *in the General Assembly.* That chapter 121 of an act of the General Assem-  
3 bly entitled "An act in regard to roads and bridges in counties under town-  
4 ship organization, and to repeal an act and parts of acts therein named," be  
5 amended by inserting after section 19 of said act, as follows:

Section 19. That whenever any village or city in this State with less  
2 than five thousand inhabitants shall propose to build a bridge or bridges  
3 over any stream in this State, whether such stream is navigable or not, and  
4 which bridge when built shall belong to such city or village, and whether  
5 such bridge is to be a toll bridge or not, then and in such case it shall be  
6 lawful for the commissioners of highways of any township whose territory  
7 adjoins the place where the said bridge is proposed to be built, to contract  
8 with and aid with money or bonds of such township, any such city or  
9 village to build such bridge: *Provided*, that no such aid shall be extended  
10 except upon a vote of such township, taken on such proposed aid at a  
11 special election, to be called for that purpose, as in section fifty-seven (57)  
12 of chapter one hundred and thirty-nine (139) and on notice as prescribed in  
13 section fifty-two (52) of said chapter 139 entitled "An act to revise the law  
14 in relation to township organization," approved and in force March 4, 1874:  
15 *And provided, further*, that at such special election the vote shall be by  
16 ballot and the notice of such election shall include in it the maximum  
17 amount of aid proposed to be used for such proposed bridge, and whether

18 of money on hand or bonds to be issued; and the voter desiring to vote for  
19 such aid shall on his ballot state, "For aid to build bridge," and the voter  
20 desiring to vote against such aid shall on his ballot state, "Against aid to  
21 build bridge." If at such election a majority of all of the legal votes cast  
22 shall be in favor of such aid to build such bridge, then the commissioners  
23 of highways of such township shall have power to contract with such city  
24 or village with reference to such aid and the building of such bridge, and  
25 pay over the money authorized by such vote; and the supervisor and town  
26 clerk of such township, under the directions of the commissioners of high-  
27 ways, if bonds are authorized by such vote, shall issue and deliver the bonds  
28 of such township, payable to the person or corporation and of such amount  
29 and on such time and at such interest as such commissioners of highways  
30 may direct, not exceeding the aggregate amount authorized at such election:  
31 *And provided, further,* that if such bridge shall be when constructed a toll  
32 bridge, such tolls shall be set apart, *first* to pay the necessary expenses of  
33 tending and keeping in repair such bridge and its approaches, and, *second*,  
34 to the payment of interest on any and all indebtedness incurred in its con-  
35 struction, including interest on any aid furnished by any township as  
36 herein provided for and, *third*, the balance and residue of such tolls shall  
37 be applied to the payment of all bonds and indebtedness incurred and  
38 existing for the construction of such bridge, including the refunding to any  
39 such township aiding in the construction of such bridge, as herein provided  
40 for, the amount of aid rendered, with interest.



AMENDMENTS PROPOSED BY THE COMMITTEE ON ROADS, HIGH-  
WAYS AND BRIDGES TO SENATE BILL NO. 243.

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1. Amend by striking out all of said bill on page one, to section 19½ and insert instead thereof the following:

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**A BILL**

For an act to amend an act entitled "An act in regard to roads and bridges in counties under township organization and to repeal an act and parts of acts therein named," approved June 23, 1883, in force July 1, 1883.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That an act entitled "An act in regard to roads and  
3 bridges in counties under township organization and to repeal an act and  
4 parts of acts therein named," approved June 23, 1883, in force July 1, 1883,  
5 be and the same is hereby amended by adding after section number 19 of  
6 this act, a section to be numbered 19½.



1. Introduced by Mr. Bass, March 19, 1891, and ordered to first reading.
2. First reading March 19, 1891, and referred to Committee on Municipalities.
3. Reported back March 25, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections 1 and 3 of "An act to authorized the issue of bonds to raise funds for the protection of public parks from waste by the action of water."

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**Section 1. Be it enacted by the People of the State of Illinois, represented**

2 *in the General Assembly.* That section 1 and section 3 of "An act to authorize  
3 the issue of bonds to raise funds for the protection of public parks from  
4 waste by the action of water," approved June 14, 1887, and in force July 1,  
5 1887, be and the same are hereby amended so as to read as follows:

Section 2. That in all cases where a public park or a portion of one  
2 fronting on the shore of a lake lies in any town, the supervisor and assessor  
3 of which have been heretofore declared to be corporate authorities, such  
4 supervisor and assessor may from time to time authorize the bonds of said  
5 town to be issued to an amount including existing indebtedness of such  
6 town, so that the aggregate indebtedness of such town shall not exceed five  
7 per centum of the value of the taxable property therein, to be ascertained  
8 by the last assessment for State and county taxes previous to the issue  
9 from time to time of such bonds, such issue not to exceed in the aggre-  
10 gate the sum of two hundred thousand dollars in addition to the amount  
11 previously authorized by law: such authority shall be in writing, signed by

12 the supervisor and assessor of said town, a copy of which shall be filed  
13 with the county clerk, and another copy shall be filed with the commis-  
14 sioners of such park, to be by them recorded in their record of proceedings  
15 of their board.

Section 3. The commissioners of said park may sell said bonds and the  
2 proceeds thereof shall be used exclusively for the continuance and comple-  
3 tion of any shore protection now in process of construction in front of said  
4 park, for the purpose of preventing the waste of land by the action of the  
5 water of said lake.

1. Introduced by Mr. Bass March 19, 1891, and ordered to first reading.
2. First reading March 19, 1891, and referred to Committee on Municipalities.
3. Reported back March 25, 1891, passage recommended, and ordered to second reading.
4. Second reading April 14, 1891, amended, and ordered to third reading.

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## A BILL

For an act to authorize an additional issue of bonds to raise funds for the protection of public parks from waste by the action of water.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in all cases where a public park or a portion  
3 of one fronting on the shore of a lake lies in any town, the supervisor and  
4 assessor of which have been heretofore declared to be corporate authorities,  
5 such supervisor and assessor may from time to time authorize the bonds of  
6 said town to be issued to an amount including existing indebtedness of  
7 such town, so that the aggregate indebtedness of such town shall not ex-  
8 ceed five per centum of the value of the taxable property therein, to be  
9 ascertained by the last assessment for State and county taxes previous to  
10 the issue from time to time of such bonds, such issue not to exceed in the  
11 aggregate the sum of two hundred thousand dollars in addition to the  
12 amount previously authorized by law; such authority shall be in writing,  
13 signed by the supervisor and assessor of said town, a copy of which shall  
14 be filed with the county clerk, and another copy shall be filed with the  
15 commissioners of such park, to be by them recorded in their record of pro-  
16 ceedings of their board.

§ 2. Such bonds shall be issued when authorized by the corporate  
authorities of the town aforesaid in the name of said town by the commis-  
sioners of said park, to be signed by the president and treasurer and  
countersigned by the secretary with his seal of office affixed. They shall  
bear interest at the rate of not exceeding five per centum, payable semi-  
annually, and the principal shall be payable at such time as may be deter-  
mined not exceeding twenty years.

§ 3. The commissioners of said park may sell said bonds, and the pro-  
ceeds thereof shall be used exclusively for the continuance and completion  
of any shore protection now in process of construction in front of said park  
for the purpose of preventing the waste of land by the action of the water  
of said lake.

§ 4. In addition to the amount of money authorized to be raised by tax-  
ation on the property of such town for the payment of any other debt  
contracted by the park commissioners falling due during the next year  
and for the improvement and maintenance and government of said park  
during the next succeeding year, the supervisor of said town shall also add  
the amount of interest payable on said bonds during the next year there-  
after, and also a sum sufficient to pay and discharge the principal of said  
bonds within twenty years from the time of issuing the same.

1. Introduced by Mr. Karraker, March 19, 1891, and ordered to first reading.
  2. First reading March 19, 1891, and referred to Committee on Appropriations.
  3. Reported back May 20, 1891, passage recommended, and ordered to second reading.
- 

## A BILL

For an act to make an appropriation for the ordinary expenses of the Southern Illinois Normal University at Carbondale.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there be, and is hereby appropriated to the  
3 Southern Illinois Normal University at Carbondale, in addition to one-half  
4 of the interest on the college and seminary fund, which is hereby appropri-  
5 ated, the further sum of twenty-two thousand one hundred and sixteen dol-  
6 lars and forty-four cents (\$22,116.44) per annum, payable quarterly in advance  
7 for the payment of salaries of teachers, for the purchase of fuel, for repairs,  
8 for additions to library, for school apparatus, for museum, for salary of  
9 engineer and janitor, for care of grounds, and for the expenses of the board  
10 of trustees of said university.

§ 2. The Auditor of Public Accounts is hereby authorized and required  
2 to draw his warrant upon the State Treasurer for said sums, quarterly as  
3 aforesaid, upon the order of the trustees of the said Southern Illinois Nor-  
4 mal University, signed by their president and attested by their secretary,  
5 with the corporate seal attached: *Provided*, that satisfactory vouchers in  
6 detail, approved by the Governor, shall be filed quarterly with the Auditor

7 of Public Accounts for all expenses, ordinary and extraordinary, of the pre-  
8 ceding quarter, and no part of the money hereby appropriated shall be due  
9 and payable until such vouchers shall have been filed.



- 1 Introduced by Mr. Kernaker, March 19, 1891, and ordered to first reading.
- 2 First reading March 19, 1891, and referred to Committee on Roads, Highways and Bridges.
- 3 Reported back May 22, 1891, passage recommended, and ordered to second reading.

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## A BILL,

For an act to amend section 60 of "An act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of acts therein named," approved May 14, 1887, as amended by act approved June 5, 1889.

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### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly,* That section 60 of "An act to provide for the or-  
3 ganization of road districts, the election and duties of officers therein, and  
4 in regard to roads and bridges in counties not under township organization,  
5 and to repeal an act and parts of acts therein named," approved May 14,  
6 1887, as amended by act approved June 5, 1889, be and the same is hereby  
7 amended so as to read as follows:

Section 60. At the meeting to be held on the second Tuesday in March,  
2 they shall make a list of the able-bodied men in their district between the  
3 ages of twenty-one and fifty years, and deliver the same to their treasurer  
4 on or before the first day of April in each year, and assess at such meeting  
5 against each person upon such list a sum not less than one dollar nor more  
6 than five dollars as a poll tax for highway purposes, to be paid to such

7 treasurer by the first Monday in June of each year. *Provided*, that men be  
 8 tween the ages aforesaid, who are ordinarily physically able to perform the  
 9 labor usually performed by able-bodied men on the public roads, shall be  
 10 deemed able-bodied men; *Provided, further*, that paupers, idiots and lunatics,  
 11 ministers of the gospel in actual charge of a church or parish, trustees of  
 12 schools, school directors and other school officers performing like duties  
 13 shall not be compelled to pay a poll tax for highway purposes; *Provided*  
 14 *further*, that this list shall not include persons within the limits of cities or  
 15 incorporated villages. The treasurer shall, within ten days after such list  
 16 is delivered to him, cause written or printed or partly written and partly  
 17 printed notices to be posted in at least five public places in such district,  
 18 stating the time when and the place where he will be in such road district for  
 19 the purpose of collecting poll tax, which notices shall be posted at least  
 20 fifteen days before the time fixed for the collection of such poll tax, and  
 21 said notices shall be deemed a sufficient demand for said poll tax. It shall  
 22 be the duty of the treasurer to make out and present to the commissioners  
 23 at their regular meeting in June of each year, a list of those who have not  
 24 paid their poll tax and the reasons, if any were rendered, why such person  
 25 or persons have not paid. If it shall appear that any of such delinquents  
 26 are poor persons and unable to pay their poll tax, but are willing to labor  
 27 upon the roads of such district, the commissioners may permit such poor  
 28 person to work out his poll tax upon the roads of the district at one dollar  
 29 per day. The treasurer shall, within twenty days after the regular meeting  
 30 in June of each year, make a complaint under oath, before any justice of  
 31 the peace of his county, against each person who has not paid his poll tax,  
 32 unless good cause be shown why such complaint should not be made, and  
 33 such justice of the peace shall thereupon issue his warrant to any constable  
 34 of his county against such person complained against and shall, upon his  
 35 arrest, proceed to hear and determine the cause according to law, and in  
 36 case the issue be found against the defendant he shall be fined in a sum

37 not exceeding \$25, and not less than double the amount which shall appear  
38 to be due from him for poll tax, and he shall stand committed to the  
39 county jail until fine and costs are fully paid: *Provided*, that such person so  
40 committed may be discharged from custody upon paying the costs of suit  
41 and entering into bond, with good security, in double the amount of such  
42 fine, to be approved by the justice of the peace, conditioned that such de-  
43 linquent shall, within thirty days from the date thereof, discharge such  
44 fine in money or road labor under the direction of the commissioners of  
45 such road district. All moneys collected under the provisions of this act  
46 shall be paid to the treasurer of the district, and by him reported to the  
47 commissioners at their next regular meeting.



1. Introduced by Mr. Fuller, March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Railroads and ordered printed.

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## A BILL

For an act to prevent extortion and unjust discrimination in the rates charged by persons, companies and corporations doing express business on railroads in this State for the transportation of express matter, and requiring reports from such persons, companies and corporations to the Board of Railroad and Warehouse Commissioners.

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SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly.* That if any person, company or corporation doing express business on or over any railroad in this State shall charge, collect, demand or receive more than a fair and reasonable rate of toll or compensation for the transportation or delivery of any freight, commodity or express matter of any name, kind or description, such person, company or corporation shall be deemed guilty of extortion, and upon conviction thereof shall be punished as hereinafter provided.

2. If any such person, company or corporation shall make any unjust discrimination in its rates or charges of toll or compensation for the transportation or delivery of any freight, commodity or express matter of any name, kind or description, such person, company or corporation shall be deemed guilty of having violated this act, and upon conviction thereof shall be punished as hereinafter provided.

§ 3. If any such person, company or corporation doing express business

2 on or over any railroad in this State shall charge, collect or receive for the  
3 transportation or delivery of any freight, commodity or express matter of  
4 any name, kind or description for any distance within this State, the same  
5 or a greater amount of toll or compensation than is at the same time  
6 charged, collected or received for the transportation and delivery in the  
7 same direction of a like quantity of freight, commodity or express matter  
8 of the same class over a greater distance; or if such person, company or  
9 corporation shall charge, collect or receive at any point upon the line  
10 where he, they or it does business a higher rate of toll or compensation for  
11 receiving, handling or delivering freight or express matter of the same  
12 class and quantity than is at the same time charged at any other point  
13 where he, they or it does business for the same or like service; or if such  
14 person, company or corporation shall charge, collect or receive for the  
15 transportation and delivery of any freight, commodity or express matter of  
16 any description over the line where he, they or it does business a greater  
17 amount as toll or compensation than shall at the same time be charged,  
18 collected or received by such person, company or corporation for the trans-  
19 portation and delivery of a like quantity of freight, commodity or express  
20 matter of the same class being transported in the same direction over any  
21 portion of the same railroad of equal distance; or if he, they or it shall  
22 charge, collect or receive from any person or persons a higher or greater  
23 amount of toll or compensation than he, they or it shall at the same time  
24 charge, collect or receive from any other person or persons for receiving,  
25 handling or delivering freight or express matter of the same class and of  
26 like quantity at the same point; or if he, they or it shall charge, collect or  
27 receive from any person or persons for the transportation and delivery of  
28 any freight, commodity or express matter of any name or kind a higher  
29 or greater rate of toll or compensation than he, they or it shall at the same  
30 time charge, collect or receive from any other person or persons for the  
31 transportation and delivery of a like or less quantity of freight, commodity

32 or express matter of the same class being transported from the same point  
 33 in the same direction over equal or less distances of the same railroad, all  
 34 such discriminating rates, charges, collections and receipts, whether made  
 35 directly or by means of any rebate, drawback or other shift or evasion,  
 36 shall be deemed and taken against such person, company or corporation as  
 37 prima facie evidence of unjust discrimination within the meaning of this  
 38 act; but this section shall not be so construed as to exclude other evidence  
 39 tending to show unjust discrimination.

§ 4. Any express company or any person, company or corporation doing  
 2 express business on or over any railroad in this State, guilty of extortion  
 3 or of making any unjust discrimination as to freight or express rates, or  
 4 the rates for the transportation, receiving, handling or delivering any freight,  
 5 commodity or express matter of any name, kind or description, shall, upon  
 6 conviction thereof, be fined in any sum not less than one thousand dollars  
 7 (\$1,000) nor more than five thousand dollars (\$5,000) for the first offense, and  
 8 for the second offense not less than five thousand dollars (\$5,000) nor more  
 9 than ten thousand dollars (\$10,000), and for the third offense not less than  
 10 ten thousand dollars (\$10,000) nor more than twenty thousand dollars  
 11 (\$20,000), and for every subsequent offense and conviction thereof shall be  
 12 liable to a fine of twenty-five thousand dollars (\$25,000).

§ 5. The fines hereinbefore provided for may be recovered in an action  
 2 of debt, in the name of the People of the State of Illinois, and there may  
 3 be any number of counts joined in the same declaration as to extortion or  
 4 unjust discrimination, or both; and in all cases under this act a preponder-  
 5 ance of evidence in favor of the people shall be sufficient to authorize a  
 6 verdict and judgment for the people.

§ 6. If any such express company, or person, company or corporation  
 2 doing express business, as aforesaid, shall, in violation of the provisions of  
 3 this act, ask, demand, charge or receive of or from any person, persons or  
 4 corporation, any extortionate charge or charges for the transportation,

8 the same existed on the first day of July preceeding; in which report shall  
9 be specified particularly:

10 First—The name of such person, company or corporation.

11 Second—If incorporated, where, and the names of the officers and direct-  
12 ors, the amount of the capital stock, and the names and residence of the  
13 stockholders, with the amount of stock owned by each.

14 Third—The total amount of assets and liabilities.

15 Fourth—The railroads on or over which the business is done.

16 Fifth—The name and location of each agent.

17 Sixth—The number and location of each of the officers of the company.

18 Seventh—The gross receipts of the company from business in this State  
19 for the preceeding year.

20 Eighth—The expenses for the preceeding year.

21 Ninth—The amount of dividends paid to stockholders for the preceed-  
22 ing year.

23 Tenth—The rates of tariff or toll charged and received for its business  
24 in this State, for the preceeding year, in detail.

§ 10. The said Railroad and Warehouse Commissioners shall make and  
2 propound to such persons, companies and corporations all such additional  
3 interrogatories as they may think proper, which shall be answered in detail  
4 by such persons, companies and corporations, or by the proper officers  
5 thereof.

§ 11. The property, books, records, accounts, papers and proceedings of  
2 all express companies, and of all persons, companies and corporations doing  
3 express business on any of the railroads of this State, shall at all times  
4 during business hours be subject to the examination and inspection of the  
5 Railroad and Warehouse Commissioners, and of any one of them, and of  
6 their secretary, and they shall have power to examine, under oath or affirma-  
7 tion, any and all directors, officers, managers, agents and employees of any  
8 express company, or person, company or corporation doing express business



9 as aforesaid, concerning any matter relating to the condition and manage-  
10 ment of such business; and for the purposes of this section such commis-  
11 sioners may issue subpoenas for and compel the attendance of witnesses,  
12 and the production of any documentary evidence required.

§ 12. Any person who shall willfully neglect or refuse to obey the pro-  
2 cess of subpoena issued by such commissioners, and to appear and testify  
3 as therein required, shall be deemed guilty of a misdemeanor and shall be  
4 liable to indictment in any court of competent jurisdiction, and on convic-  
5 tion thereof shall be punished for each offense, by a fine of not less than  
6 one hundred dollars (\$100), nor more than five hundred dollars (\$500), or by  
7 imprisonment of not more than thirty days, or both, in the discretion of  
8 the court.

§ 13. Every express company, and every person, company or corporation  
2 doing express business as aforesaid, and every agent, officer, director or  
3 employe of the same, who shall willfully neglect or refuse to make and  
4 furnish any report required by this act, at the time herein required, or who  
5 shall willfully neglect or refuse to answer any proper interrogatory pro-  
6 pounded by said commissioners, in relation to their or its business, or who  
7 shall willfully hinder or obstruct said commissioners in the discharge of  
8 any of the duties herein imposed upon them, or who shall refuse to such  
9 commissioners free access to their or its books, papers and records, shall for  
10 each offense pay a fine of not less than one hundred dollars (\$100), nor  
11 more than five thousand dollars (\$5,000), to be recovered in an action of  
12 debt in any court of competent jurisdiction, in the name of the People of  
13 the State of Illinois, as plaintiff, and shall be liable to a like penalty for  
14 for each and every ten days of such neglect or refusal.

§ 14. It shall be the duty of the Railroad and Warehouse Commissioners,  
2 of the Attorney General, and of the State's attorney in each county in this  
3 State to commence and prosecute suits for each and every violation of this  
4 act.

§ 15. All fines collected under this act shall be paid into the treasury of the county where the suit is instituted, for county purposes.

§ 16. All remedies provided for by this act shall be regarded as cumulative and not as repealing any act or law now in force.

1. Introduced by Mr. Caldwell March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Appropriations and ordered printed.

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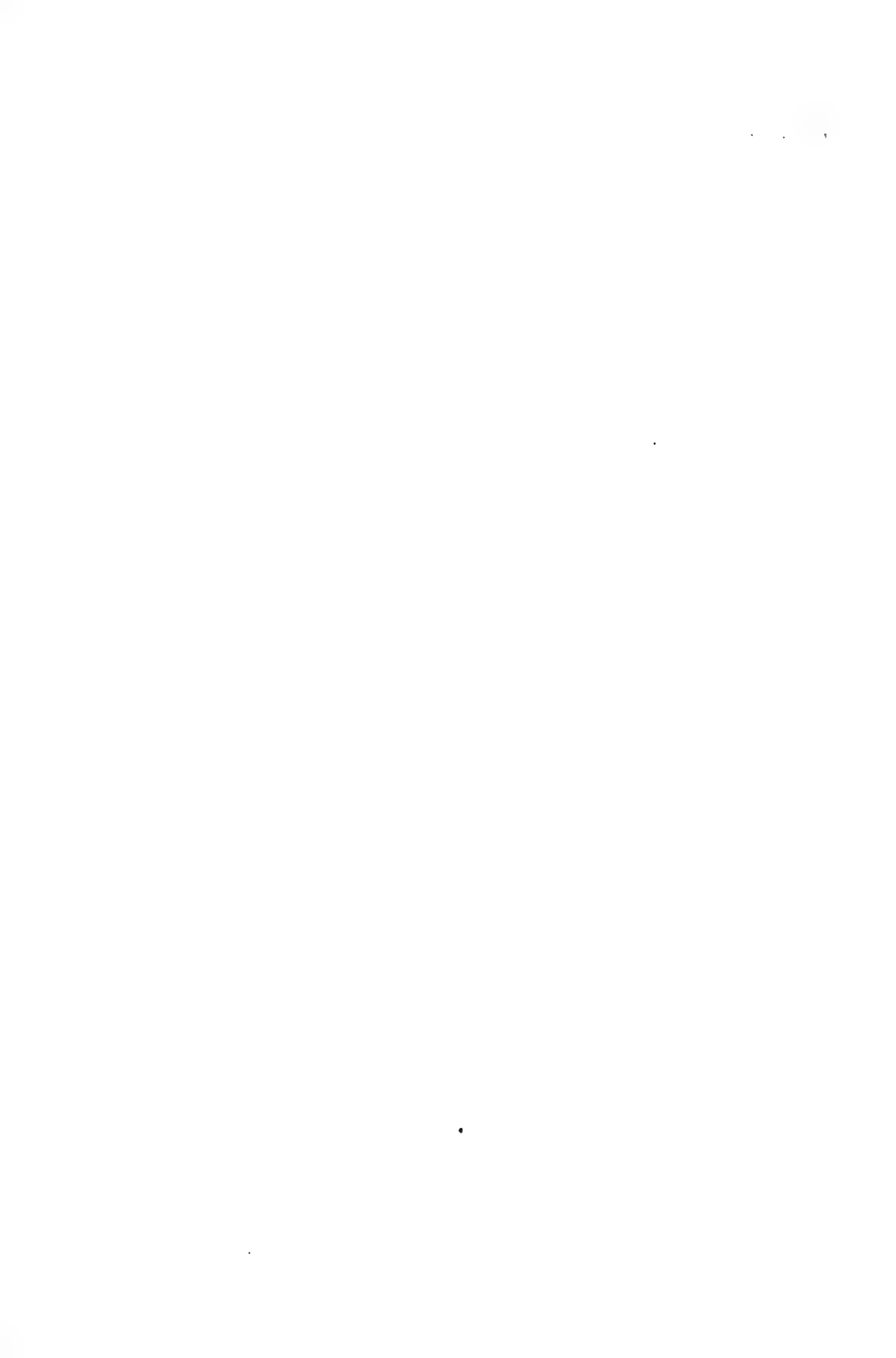
## A BILL

For an act to appropriate five thousand dollars for the National Emancipation Monument Association fund.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of five thousand [dollars (\$5,000)] is hereby appropriated to the National Emancipation Monument fund.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue a warrant upon the Treasurer for the sum herein specified, and the State Treasurer shall pay the sum out of any moneys not otherwise appropriated to the trustees of the said association.



1. Introduced by Mr. McDonald, March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back April 17, 1891, favorably, and referred to Committee on Appropriations.
4. Reported back with amendments May 8, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making appropriations for the Illinois Institution for the Education of the Deaf and Dumb.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the following sums be and are hereby appro-  
3 priated to the Illinois Institution for the Education of the Deaf and Dumb:

4 For the purchase of land, twelve thousand six hundred dollars (\$12,000).

5 For the purchase of three steam boilers with connections, three thousand  
6 six hundred dollars (\$3,600).

7 For erection of cottage for boys, fifteen thousand dollars (\$15,000).

8 For erection of silo and straw barn, three thousand dollars (\$3,000).

9 For conservatory and propagating house, two thousand dollars (\$2,000).

§ 2. The moneys hereby appropriated shall be due and payable to the  
2 trustees of the aforesaid institution, or their order, on the terms and in the  
3 manner now provided by law.

**AMENDMENTS TO SENATE BILL No. 250, PROPOSED BY THE COMMITTEE ON APPROPRIATIONS.**

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1. Amend by striking out the item, "For erection of cottage for boys, fifteen thousand dollars (\$15,000).
2. Amend section 1 by striking out of item for the erection of silo and straw barn the figures and words "three thousand dollars" and insert the figures "\$2,000" in lieu thereof.
3. Amend section 1 by striking out the item, "For conservatory and propagation house, two thousand dollars (\$2,000)."

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**AMENDMENTS TO SENATE BILL No. 250—IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 by striking out all of line 4 of the printed bill.
2. Amend same section by striking out in lines 5 and 6 of the printed bill the words and figures "three thousand six hundred dollars (\$3,000)," and insert the words and figures "twenty-five hundred dollars (\$2,500)," in place thereof.





1. Introduced by Mr. McDonald, March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back April 16, passage recommended, and referred to Committee on Appropriations.
4. Reported back May 20, with amendments, passage recommended and ordered to second reading.

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## A BILL

For an act making appropriations to the Illinois Central Hospital for the Insane, for electric light, for refrigerating plant, for a root cellar and for painting.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the following amounts be and are hereby appropriated to the Illinois Central Hospital for the Insane at Jacksonville:

For an electric light plant for all the buildings, eleven thousand dollars (\$11,000).

For a refrigerating plant, ten thousand dollars (\$10,000).

For painting, six thousand dollars (\$6,000).

For a root cellar, one thousand dollars (\$1,000).

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the aforesaid institution or their order, only on the terms and in the manner now provided by law.

**PROPOSED AMENDMENTS TO SENATE BILL NO. 251 BY THE COMMITTEE ON APPROPRIATIONS.**

1. Amend by striking out the item "For refrigerating plant, ten thousand dollars (\$10,000)."
2. Amend by striking out the words and figures in line 7 "six thousand dollars (\$6,000)," and insert the words and figures "three thousand dollars (\$3,000)" in lieu thereof.

1. Introduced by Mr. McDonald, March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to the Committee on State Charitable Institutions.
3. Reported back April 16, 1891, passage recommended, and referred to Committee on Appropriations.
4. Reported back May 20, 1891, with amendments, passage recommended and ordered to second reading.
5. Second reading May 27, 1891, amended and ordered to third reading.

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## A BILL

For an act making appropriations to the Illinois Central Hospital for the Insane, for electric light, for root cellar and for painting.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

- 2 *in the General Assembly,* That the following amounts be and are hereby ap-  
3 propriated to the Illinois Central Hospital for the Insane at Jacksonville;  
4 For an electric light plant for all the buildings, eleven thousand dollars  
5 (\$11,000).  
6 For painting, three thousand dollars (\$3,000).  
7 For root cellar, one thousand dollars (\$1,000).

§ 2. The moneys herein appropriated shall be due and payable to the  
2 trustees of the aforesaid institution or their order, only on the terms and in  
3 the manner now provided by law.‡



1. Introduced by Mr. Wells, March 24, 1891, and ordered to first reading.
  2. First reading March 24, 1891, and referred to Committee on Revenue.
  3. Reported back March 27, passage recommended and ordered to second reading.
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## A BILL

For an act entitled "An act for the relief of counties, towns and cities, in respect to moneys in the State treasury, applicable to the payment of overdue and unpresented registered bonds and coupons annexed thereto, issued by them."

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any registered bonds of any county, town or city of this State, issued, or purporting to have been issued, under the act of the General Assembly of this State entitled "An act to authorize certain counties and towns to aid public improvements," approved April 9, 1869, and the act of said General Assembly entitled "An act relating to county and city debts, and to provide for the payment thereof by taxation in such counties and cities," approved February 13, 1865, shall become, or shall have become due and payable, and any money applicable to the payment of such bonds or any coupons thereto annexed, shall remain, or shall have remained in the State treasury of this State, for the period of one year after any such bonds or coupons shall become, or shall have become due and payable, without any application by the holder or holders thereof, or his, her or their agent or attorney, to the Auditor of Public Accounts of

15 this State for his warrant on the State Treasurer of this State, for the  
16 money in the State treasury applicable to the payment of any such bonds  
17 or coupons, the said Auditor shall on request issue his warrant on the  
18 State Treasurer, in favor of the county treasurer of such county, or the  
19 treasurer of such town or city, as the case may be, for all such money in  
20 the State treasury to the credit of the registered bond fund of such county,  
21 town or city, and said State Treasurer shall forthwith on presentation to  
22 him of such warrant pay to the person in whose favor such warrant may  
23 be drawn, the amount of the same, out of the funds in the State treasury  
14 applicable to the payment of the same; and thereafter all such bonds and  
25 coupons shall be payable on proper presentation out of funds in the  
26 treasury of such county, town or city, as the case may be.

§ 2. That after any such warrant as is provided for in the foregoing  
2 section shall have been drawn and paid, no tax for the payment of any  
3 such bonds or coupons shall be added to or deemed to be added to, or be  
4 a part of the per centum, which is, or may be levied, or provided by law,  
5 for purposes of State revenue; and the said Auditor shall cease to perform  
6 any of the duties required of him under or by virtue of the act last men  
7 tioned in the foregoing section of this act, so far as relates to any such  
8 bonds or coupons.

§ 3. Whereas, large sums of money are now idle in the State treasury, to  
2 the credit of the registered bond funds of one or more of the counties of  
3 this State, without being called for, and which ought to be paid to such  
4 county or counties, therefore an emergency exists, and this act shall take  
5 effect and be in force from and after its passage.

1. Introduced by Mr. Wells March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Revenue.
3. Reported back March 27, 1891, passage recommended and ordered to second reading.
4. Second reading April 15, 1891, amended, and to await further action.

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## A BILL

For an act entitled "An act for the relief of counties, towns and cities, in respect to moneys in the State treasury, applicable to the payment of overdue and unrepresented registered bonds and coupons annexed thereto, issued by them."

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly*, That whenever any registered bonds of any county,  
3 town or city of this State, issued, or purporting to have been issued, under  
4 the act of the General Assembly of this State entitled "An act to authorize  
5 certain counties and towns to aid public improvements," approved April 9,  
6 1869, and the act of said General Assembly entitled "An act relating to  
7 county and city debts, and to provide for the payment thereof by taxation  
8 in such counties and cities," approved February 13, 1865, shall become, or  
9 shall have become, due and payable, and any money applicable to the pay-  
10 ment of such bonds or any coupons thereto annexed, shall remain, or shall  
11 have remained, in the State treasury of this State for the period of one  
12 year after any such bonds or coupons shall become, or shall have become,  
13 due and payable, without any application by the holder or holders thereof  
14 or his, her, or their agent or attorney, to the Auditor of Public Accounts  
15 of this State for his warrant on the State Treasurer of this State, for the

16 money in the State treasury applicable to the payment of any such bonds  
 17 or coupons, the said Auditor shall on request issue his warrant on the  
 18 State Treasurer, in favor of the county treasurer of such county, or the  
 19 treasurer of such town or city, as the case may be, for all such money in  
 20 the State treasury to the credit of the registered bond fund of such county,  
 21 town or city, and said State Treasurer shall forthwith on presentation to  
 22 him of such warrant pay to the person in whose favor such warrant may be  
 23 drawn, the amount of the same, out of the funds in the State treasury  
 24 applicable to the payment of the same, and thereafter all such bonds and  
 25 coupons shall be payable on proper presentation out of funds in the  
 26 treasury of such county, town or city, as the case may be.

§ 2. That after any such warrant as is provided for in the foregoing  
 2 section shall have been drawn and paid, no tax for the payment of any such  
 3 bonds or coupons shall be added to or deemed to be added to, or be a  
 4 part of the per centum, which is or may be levied or provided by law, for  
 5 purposes of State revenue; and the said Auditor shall cease to perform any  
 6 of the duties required of him under or by virtue of the act last mentioned  
 7 in the foregoing section of this act, so far as relates to any such bonds or  
 8 coupons.

§ 3. Whereas, large sums of money are now idle in the State treasury,  
 2 to the credit of the registered bond funds of one or more of the counties  
 3 of this State, without being called for, and which ought to be paid to such  
 4 county or counties, therefore an emergency exists, and this act shall take  
 5 effect and be in force from and after its passage.

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#### AMENDMENTS PROPOSED BY MR. WELLS.

Amend by striking out all after the enacting clause in the first section  
 of the bill and substituting therefor the following:



That whenever any bonds or bond of any county, township, city, town, school district or other municipal corporation registered in pursuance of law in the office of the Auditor of Public Accounts shall have become overdue for a period of one year, and shall not have been presented for payment, and any balance applicable to the payment of such bonds or bond, or of any coupons thereto belonging, shall remain in the State treasury to the credit of the registered bond fund of such county, township, city, town, school district or other municipal corporation, it shall be the duty of the Auditor of Public Accounts, on receipt of a certified copy of such a resolution as provided in section two (2) of this act, to issue his warrant for the amount of such balance upon the State Treasurer, who is hereby authorized to pay the same out of the proper fund. And, thereafter, any such bonds or bond, and the coupons thereto belonging, shall be payable, on presentation, by such county, township, city, town, school district or other municipal corporation.

2nd. Amend by striking out section two (2) of same bill and substituting therefor the following:

§ 2. Before any such warrant shall be issued for any such balance in the State treasury to the credit of the registered bond fund of any county, township, city, town, school district or other municipal corporation, such county, township, city, town, school district or other municipal corporation shall, by its proper corporate authorities, pass a resolution requesting the Auditor of Public Accounts to issue his warrant upon the State Treasurer for the amount of such balance, payable to the proper custodian of the funds of such county, township, city, town, school district or other municipal corporation, who shall be named in such resolution, and furnish a certified copy of such resolution to said Auditor.

3rd. Amend by numbering section two (2) as section three (3), and section 3 as section 4.



1. Introduced by Mr. Karraker March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Judiciary.
3. Reported back March 27, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section two of an act entitled "An act concerning circuit courts, and to fix the time for holding the same, in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That section 2 of an act entitled "An act concerning circuit courts, and to fix the time for holding the same, in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

Section 2. First circuit In the county of Union, on the third Monday of March, the third Monday of June and the fourth Monday of November; in the county of Jackson, on the second Monday of January, the second Monday of April and the second Monday of September; in the county of Williamson, on the first Monday of February, the first Monday of May and the fourth Monday of September; in the county of Franklin, on the fourth Monday of February and the fourth Monday of September; in the county of Saline, on the second Monday of March and the second Monday of No-

9 vember; in the county of Alexander, on the second Monday of February,  
10 the second Monday of May, the second Monday of July and the second  
11 Monday of October: *Provided*, the term to be held on the second Monday of  
12 July in Alexander county shall be held exclusively for criminal business;  
13 in the county of Pulaski, on the fourth Monday of April and the fourth  
14 Monday of October; in the county of Pope, on the fourth Monday of Feb-  
15 ruary and the second Monday of September; in the county of Massac, on  
16 the second Monday of April and the fourth Monday of November; in the  
17 county of Hardin, on the fourth Monday of April and the fourth Monday  
18 of October; in the county of Johnson, on the fourth Monday of March and  
19 the second Monday of November: *Provided*, that no grand jury shall be  
20 summoned to attend at said May term in Alexander county, and that no  
21 grand or petit jury shall be summoned to attend at said June term in  
22 Union county, except by special order of the judge holding such term of  
23 court.

1. Introduced by Mr. Karraker March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Judiciary.
3. Reported back March 27, 1891, passage recommended, and ordered to second reading.
4. Second reading April 16, 1891, amended and ordered to a third reading.

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## A BILL

For an act to amend sections two and six of an act entitled "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879.

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**Enrolled 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections two and six of an act entitled  
3 "An act concerning circuit courts, and to fix the time for holding the  
4 same in the several counties in the judicial circuits in the State of  
5 Illinois, exclusive of the county of Cook," approved May 24, 1879, in  
6 force July 1, 1879, be and the same are hereby amended so as to read as  
7 follows:

Section 2. First circuit—In the county of Union, on the third Monday of  
2 March, the third Monday of June and the fourth Monday of November; in

3 the county of Jackson, on the second Monday of January, the second Mon-  
 4 day of April and the second Monday of September; in the county of Wil-  
 5 liamson, on the first Monday of February, the first Monday of May and the  
 6 fourth Monday of September; in the county of Franklin, on the fourth  
 7 Monday of February and the fourth Monday of September; in the county  
 8 of Saline, on the second Monday of March and the second Monday of  
 9 September; in the county of Alexander, on the second Monday of  
 10 February, the second Monday of May, the second Monday of July  
 11 and the second Monday of October: *Provided*, the term to be held  
 12 on the second Monday of July in Alexander county shall be held  
 13 exclusively for criminal business; in the county of Pulaski,  
 14 on the fourth Monday of April and the fourth Monday of  
 15 October; in the county of Pope, on the fourth Monday of May and  
 16 the second Monday of October; in the county of Massac, on the sec-  
 17 ond Monday of April and the fourth Monday of November; in the  
 18 county of Hardin, on the fourth Monday of April and the fourth Monday  
 19 of October; in the county of Johnson, on the fourth Monday of March and  
 20 the second Monday of November: *Provided*, that no grand jury shall be  
 21 summoned to attend at said May term in Alexander county, and that no  
 22 grand or petit jury shall be summoned to attend at said June term in  
 23 Union county, except by special order of the judge holding such term of  
 24 court.

Section 6. In the county of Sangamon, on the first Mondays of Septem-  
 2 ber, November, January, March and May; in the county of Montgomery, on  
 3 the first Mondry of November and third Monday of January and April:  
 4 *Provided*, that the January term in Montgomery county and May term in  
 5 Sangamon county shall have no jury summoned unless the same is done on  
 6 the written order of the judge; in the county of Macoupin, on the third  
 7 Monday in February and first Monday in June and third Monday in Sep-

8   tember; in the county of Christian, on the first Monday in March, the first  
9   Monday in August and third Monday in November; in the county of  
10   Fayette, on the third Tuesday after the first Tuesday in February, and the  
11   fourth Tuesday after the third Tuesday in August; in the county of Shelby,  
12   on the first Tuesday of April, and on the eighth Tuesday after the third  
13   Tuesday in August.





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AMENDMENTS TO SENATE BILL No. 253—IN HOUSE.

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Adopted by the House of Representatives June 10, 1891. Ordered printed and engrossed June 10, 1891.

1. Amend title by adding after the figures "1879" in last line of title of printed bill the following: "As amended by act approved May 29, 1885, in force July 1, 1885."

2. Amend section 1 of printed bill by adding after the figures "1879" in line six the following: "As amended by act approved May 29, 1885, in force July 1, 1885."

3. Amend by striking out the word "fourth" in line two of section two of the printed bill and insert in place thereof the word "second."

4. Amend by striking out the word "February" in line seven of section two of printed bill and insert in place thereof the word "April;" also strike out the word "September," same line as above, and insert in place thereof the word "October."

5. Amend by striking out the word "April" in line 18, section 2 of printed bill, and insert "February;" also strike out the word "October" in line 19 of section 2 and insert in place thereof the word "September."



1. Introduced by Mr. Sheridan March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back May 27, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 2 of article 6 of "An act to establish and maintain a system of free schools," approved May 21, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois represented*  
2 *in the General Assembly.* That in all school districts having a population of  
3 not less than one thousand and not over one hundred thousand inhabitants,  
4 and not governed by any special act in relation to free schools now in force,  
5 there *may* be elected instead of the directors provided by law in other districts,  
6 a board of education, to consist of a president of the board of education, six  
7 members and three additional members for every additional ten thousand inhab-  
8 itants. Whenever additional members of such board of education are to be elect-  
9 ed by reason of increased population of such district, such members shall be  
10 elected on the third Saturday of April succeeding the ascertaining of such  
11 increase by any special or general census, and the notice of such election  
12 shall designate the term for which the members are to be elected, so that  
13 one-third of the board shall be elected for each year: *Provided*, that in no  
14 case shall said board consist of more than fifteen members.



1. Introduced by Mr. Manecke March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back April 1, 1891, passage recommended, and referred to Committee on Appropriations.
4. Reported back April 29, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act making appropriations for the Illinois Asylum for Feeble Minded Children at Lincoln.

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*SECTION 1. Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly, That the following sums be and are hereby appropriated to the Illinois Asylum for Feeble Minded Children at Lincoln, for the purposes hereinafter named:*

For renewal of steam heating apparatus of the main building and out-buildings, six thousand nine hundred dollars.

For fire protection of main and out-buildings, three thousand dollars.

For purchase of farm lands, twenty-six thousand dollars.

2. The moneys herein appropriated shall be due and payable to the trustees of the Illinois Asylum for Feeble Minded Children on their order, on the terms and in the manner now provided by law.



**AMENDMENT TO SENATE BILL No. 256--IN HOUSE.**

Adopted by the House of Representatives May 28, 1891, ordered printed  
May 28, 1891

Amend section 1 by striking out the words "nine hundred" after the  
word "thousand" in line 6 of the printed bill.





1. Introduced by Mr. Bogardus March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back March 25, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to provide for the extirpation of, and prevention of, the spread of contagious diseases among swine.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That it shall be the duty of the State Board of Live Stock Commissioners to cause to be investigated by the State Veterinarian and assistant State veterinarians, any and all outbreaks coming to their knowledge, of contagious diseases among swine in this State, and to use all proper means to extirpate and to prevent the spread thereof; and for this purpose they shall be authorized to conduct such tests as shall be deemed advisable to determine the true character and nature of any dangerously contagious disease among swine.

§ 2. Whenever, upon investigation, so-called "swine plague" or any other dangerously contagious or infectious disease is found to exist among swine, the State Veterinarian or assistant State veterinarian making such investigation shall cause the remaining healthy hogs on the premises to be removed from the diseased hogs to a place not previously occupied by such diseased hogs, and shall establish such quarantine in the premises as the board deem necessary to prevent the further spread of the disease, and it

8 shall be the duty of the owner or person in charge of such quarantined  
9 hogs to comply therewith and to fully carry out the instructions of said  
10 board, looking to the prevention of the further spread of such disease.

§ 3. In investigating any and all outbreaks of contagious diseases among  
2 hogs, the veterinarian making the investigation shall make post mortem ex-  
3 aminations, and, when deemed advisable, the board may order a micro-  
4 scopical examination to be made, and for these purposes the State Veterin-  
5 arian or any assistant State veterinarian directed by the board to make  
6 such investigation shall have the power to slaughter animals affected with  
7 such contagious disease. A full report of each investigation, as soon as  
8 completed, shall be filed with the board, and shall contain a statement of  
9 the facts surrounding the outbreak, the conditions found to exist, the gen-  
10 eral and specific symptoms of the disease, result of microscopical examina-  
11 tion, when such is made, diagnosis, treatment and means of prevention ad-  
12 visable. The board shall annually compile and classify such reports and  
13 submit them in a report of their actions to the Governor, and twenty thou-  
14 sand copies of such report shall be published in pamphlet form and dis-  
15 tributed free among the swine growers of the State.

§ 4. It shall be the duty of any person owning or having in charge  
2 swine which he suspects or has any reason to believe are infected with any  
3 contagious disease, or of any other person having knowledge or reason to  
4 suspect the existence of such disease to immediately notify said board of  
5 commissioners, or some member or the secretary thereof, of the existence of  
6 such disease. It shall be the duty of any person owning or having in  
7 charge hogs affected with any contagious disease to at once remove his  
8 healthy hogs from those diseased, and to cause the carcasses of all hogs  
9 that die from such disease to be burned or buried near the place where  
10 they die to the depth of at least four feet within twenty-four hours after  
11 death, or to render the carcasses on his premises, in which case the product

12 shall not be used or sold for use in any form for food, and the offal shall  
13 be destroyed by burning; and it shall be unlawful for any person to sell or  
14 in any way dispose of such carcasses except as above indicated, or to sell  
15 or in any way dispose of any live hogs affected with or showing symptoms of  
16 a contagious disease, or to remove or permit the removal of such diseased  
17 hogs, or the carcasses of such as die from such contagious disease, from his  
18 premises, or along or across any public highway, and it shall be unlawful  
19 for any one to engage in the traffic of the carcasses of hogs that die from  
20 such contagious disease, or to go from one premises to another in search of  
21 such carcasses with a view of purchasing the same, or to transport the  
22 same along the public highway.

§ 5. Any person who, knowing that any contagious or infectious disease  
2 exists among his hogs, shall conceal such fact, or shall sell the animal or  
3 animals so diseased, or shall remove or permit the removal of such dis-  
4 eased animals from his premises to the premises of another, or shall drive  
5 or lead over any public highway or common, or permit the same to be  
6 done, or ship the same by any car or steamboat to any other place in or  
7 out of this State, and any person or persons who shall knowingly buy, re-  
8 ceive, sell, convey or engage in the traffic of such diseased hogs, or the car-  
9 casses thereof, and any person who shall fail to dispose of the carcasses of  
10 such diseased hogs within the time and in the manner prescribed by sec-  
11 tion 4 of this act, and any person who shall violate any quarantine regula-  
12 tions established, or the quarantine rules prescribed under the provisions of  
13 this act, or in any manner violate any of its provisions, shall for each,  
14 either, any and all acts above mentioned in this section, be guilty of a mis-  
15 demeanor, and on conviction thereof, or of any one of said acts, shall be  
16 fined in the sum not less than \$25 nor more than \$200 and imprisoned  
17 in the county jail until the fine and costs are paid.

§ 6. Whenever quarantine is established in accordance with the provi-

9   long of section 2 of this act, valid notices of the same may be given by  
3   leaving with the owner or occupant of any premises in person, or delivering  
4   to any member of his family or any employe over the age of ten years  
5   found on the premises so quarantined notice thereof, written or printed, or  
6   partly written and partly printed, and at the same time explaining the con-  
7   tents thereof. Such quarantine shall be sufficiently proven in any court by  
8   the production of a true copy of such notice of quarantine with a return  
9   thereon of the service of the same in the manner above required. All fines  
10   recovered under the provisions of this act shall be paid into the county  
11   treasury of the county in which the suit is tried by the person collecting  
12   the same in the manner now provided by law, to be used for county pur-  
13   poses, and it shall be the duty of the State's attorneys in their respective  
14   counties to prosecute for all violations of this act.

§ 7. For the purpose of carrying out the provisions of this act, there is  
2   hereby appropriated from any funds in the State treasury not otherwise  
3   appropriated fifteen thousand dollars (\$15,000) per annum, or so much as  
4   shall be needed thereof, to be paid on itemized vouchers certified by the  
5   board and approved by the Governor.

1. Introduced by Mr. Bogardus, March 24, 1891, and ordered to first reading.
2. First reading March 24, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back March 26, 1891, and ordered to be printed for use of Committee.

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## A BILL

For an act to provide for conducting investigation of, and experiments with, diseases of domestic animals.

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WHEREAS, the live stock interests of this State are more vital to the farming community than any other one interest, and

WHEREAS, the farmers of this State annually suffer great loss from diseases of live stock, about the real nature of which comparatively little is known, and

WHEREAS, intelligently conducted investigations of, and experiments with, such diseases would tend to disclose their true nature and cause, a knowledge of which would enable the adoption of preventive and remedial remedies, therefore

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the State Board of Live Stock Commissioners, shall cause investigation to be made of the contagious diseases existing, and such as shall develop, among the useful domestic animals of this State, and for this purpose to cause to be conducted such scientific and practical

6 experiments as shall be deemed necessary for the ascertainment of the  
7 nature, cause and effect of such diseases, the manner of transmission, and  
8 most practical means of prevention and extirpation.

§ 2. The trustees of the university of Illinois, in charge of the agricul-  
2 tural experiment station, shall provide for the use of the Board of Live  
3 Stock Commissioners for experiment purposes the necessary space on their  
4 premises and laboratory room.

§ 3. The Board of Live Stock Commissioners shall, from time to time,  
2 publish for free distribution bulletins giving the results of experiments and  
3 investigations completed, and shall transmit to the Governor an annual  
4 report of the investigations and experiments conducted under its super-  
5 vision, the facts ascertained, the deductions arrived at, and such recom-  
6 mendations as shall be deemed wise to make, and at least twenty thousand  
7 copies of this report shall be printed for free distribution, and a copy of the  
8 matter prepared for the report and for bulletins issued by the board shall  
9 be furnished the agricultural experiment station for publication in the station  
10 reports and bulletins.

§ 4. For the purpose of carrying out the provisions of this act, there is  
2 hereby appropriated from any funds in the State treasury not otherwise  
3 appropriated, ten thousand dollars (\$10,000) per annum, or so much as shall  
4 be needed thereof, to be paid on itemized vouchers certified by the Board  
5 of Live Stock Commissioners, and approved by the Governor.

1. Introduced by Mr. Caldwell March 25, 1891, and ordered to first reading.
2. First reading March 25, 1891, and referred to Committee on License and Miscellany.
3. Reported back April 15, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections 1 and 6 of an act entitled "An act to amend sections 1, 2 and 6 of an act entitled 'An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds,'" approved June 1, 1889, and in force July 1, 1889; and also to amend section 3 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds," approved May 14, 1879, in force July 1, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections 1 and 6 of an act entitled "An act to amend sections 1, 2 and 6 of an act entitled 'An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds,'" approved June 1, 1889, in force July 1, 1889, and that section 3 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds," approved May 14, 1879, in force July 1, 1879, be and the same are hereby amended so as to read as follows:

Section 1. When game may be killed.—That it shall be unlawful for any

2 person or persons to hunt, pursue, kill, trap, net or ensnare, or otherwise  
3 destroy any wild buck, doe or fawn, or wild turkey, between the 15th day  
4 of January and the 1st day of September of each and every year, or any  
5 pinnated grouse or prairie chicken between the first day of November and  
6 the 1st day of September of the succeeding year, or any ruffed grouse,  
7 quail, pheasant or partridge between the 1st day of December and the 15th  
8 day of October of each succeeding year or any year, or any woodcock  
9 between the 15th day of September and the 15th day of July of each suc-  
10 ceeding or any year, or any gray, or red, fox or black squirrel between the  
11 15th day of December and the 1st day of June of each succeeding year or  
12 any year; and it shall be unlawful kill, hunt, destroy, ensnare, entrap, or  
13 attempt to kill, hunt, ensnare, entrap or otherwise destroy any wild goose,  
14 duck, brant or other water fowl at any time between the 15th day of April  
15 and the 15th day of September of any year; and it shall be unlawful to  
16 hunt, kill, trap, ensnare or attempt to hunt, kill, trap, ensnare or otherwise de-  
17 stroy any wild goose, duck, brant, rail or other water fowl between sunset of any  
18 day and sunrise of the next succeeding day at any period of the year; and it shall  
19 further be unlawful at any time to hunt, kill, trap or ensnare or attempt to hunt,  
20 kill, trap or ensnare, or otherwise destroy any wild goose, brant, duck or other  
21 water fowl, from any fixed or artificial ambush beyond a natural covering of  
22 reeds, canes, flags, wild rice, or other vegetation above the water of any  
23 lake, river, bay or inlet, or other watercourse wholly within this State, or  
24 in such part of such stream or watercourse wholly within this State, or  
25 with the aid and use of any device commonly called sneak boat, sink box,  
26 or other device used for the purpose of concealment in the open waters of  
27 this State; and it shall further be unlawful to shoot, kill, or destroy, or  
28 shoot at any wild goose, duck, brant, or other water fowl with a swivel  
29 gun, or from any sail boat or steam boat at any time, in any part of the  
30 water of any lake, river, bay or inlet, or other watercourse wholly within



31 this State, or in that part of such streams or watercourse wholly within  
 32 this State; and any person so offending shall for each and every offense be  
 33 deemed guilty of a misdemeanor, and on conviction shall be fined in any  
 34 sum not less than five dollars nor more than twenty-five dollars and costs  
 35 of suit, and shall stand committed to the county jail until such fines and  
 36 costs are paid: *Provided*, that such imprisonment shall not exceed ten days,  
 37 and the killing of each bird or animal herein specified shall be deemed a  
 38 separate offense.

Section 3. What birds not to be killed. Penalty. Exception.—No person  
 2 shall at any time within this State kill or attempt to kill, or attempt to  
 3 trap, net, ensnare, destroy or kill any robin, blue bird, swallow, martin,  
 4 mosquito hawk, whip-poor-will, cuckoo, woodpecker, cat bird, brown thrasher,  
 5 red bird, hanging bird, buzzard, sparrow, wren, humming bird, dove, gold-  
 6 finch, mocking bird, blue jay, finch, thrush, lark, cherry bird, yellow bird,  
 7 oriole or bobolink, nor rob or destroy the nests of such birds, or either or  
 8 any of them, and any person so offending shall on conviction be fined the  
 9 sum of five dollars for each and every bird so killed and for each and every  
 10 nest robbed or destroyed: *Provided*, that nothing in this section shall be  
 11 construed to prevent the owner or occupant of lands from destroying any  
 12 of the birds herein named on the same when deemed necessary by him for  
 13 the protection of fruits or property: *And provided, further*, that the sparrow,  
 14 commonly known or called the English sparrow, may be killed or destroyed  
 15 at any time.

Section 6. Selling, etc., after five days. No person or persons shall sell or  
 2 expose for sale or have in his or their possession for the purpose of sale or  
 3 exposing for sale any of the animals, wild fowl or birds mentioned in sec-  
 4 tion 1 of this act after the expiration of five days next succeeding the first  
 5 day of the period in which it shall be unlawful to kill, trap or ensnare  
 6 such animals, wild fowl or birds. Any person so offending shall on con-

7 viction be fined and dealt with as specified in section 1 of this act, and  
8 selling or exposing for sale, or having the same in possession for the pur-  
9 pose of selling or exposing for sale, any of the animals or birds mentioned  
10 in this section after the expiration of the time mentioned in this section,  
11 shall be prima facie evidence of the violation of this act: *Provided*, that  
12 the provisions of this act shall not apply to the killing of birds by or for  
13 the use of taxidermists for preservation, either in public or private collec-  
14 tions, if so preserved: *Provided, further*, that nothing contained in this act  
15 shall be construed as modifying or being in conflict with section 2 of this  
16 act, or authorizing or legalizing the sale or exposing for sale, transportation  
17 or receiving for transportation any of the animals, birds or game as therein  
18 prohibited: *And provided, also*, that inhabitants of villages and cities may receive  
19 and ship game from other States and expose and sell the same on the market  
20 in said villages and cities between the 1st day of October and the 10th day  
21 of January of the following year, upon the following conditions: Condi-  
22 tioned--1st. That pinnated grouse or prairie chicken, quail and partridge  
23 shall show gun-shot marks. 2d. That any person or corporation receiving  
24 or shipping game from other States and exposing or selling the same on  
25 the market in villages or cities in this State shall keep a register to be  
26 known as the game register, in which such person or corporation shall reg-  
27 ister immediately upon its receipt all game, wild fowl and birds by them  
28 received, including the kind or kinds of game and quantity, and from whom  
29 received and where from, and by what express or transportation company  
30 the same was brought and delivered to them; which said game register  
31 shall be open at all business hours to the inspection of the sheriff, game  
32 warden or any constable of the county.

1. Introduced by Mr. Caldwell March 26, 1891, and ordered to first reading.
2. First reading March 26, 1891, and referred to Committee on License and Miscellany.
3. Reported back April 15, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to provide for an additional remedy for the protection of game and for the protection of deer, wild fowl and birds, and for the appointment of game wardens and defining the powers and duties of the same," approved June 27, 1885, in force July 1, 1885.

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### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That an act entitled "An act to provide for an additional remedy for the protection of game and for the protection of deer, wild fowl and birds, and for the appointment of game wardens and defining the powers and duties of the same," approved June 27, 1885, in force July 1, 1885, be and the same is hereby amended so as to read as follows:

1. That the Governor of the State, on request of the fish commissioners of the State, shall appoint game wardens, who shall enforce the laws relating to the protection of game, wild fowl and birds, arrest all violators thereof, and prosecute all offenses against the same. They shall have power to serve process against such offenders, and shall be allowed the same fees as constables for like service, and shall have power to arrest, without warrant, any person found violating any of the provisions of the game laws of

8 the State. But such wardens shall receive no salary, except in cases where  
9 convictions are obtained, but shall receive all fines and proceeds of sale as  
10 hereinafter provided. Said game wardens may be removed from office at  
11 any time by the Governor.

§ 2. It shall be the duty of the sheriffs, deputy sheriffs, constables and  
2 game wardens to prosecute persons and corporations violating the game  
3 laws of this State, and they shall have power to arrest on sight, without  
4 warrant, any person violating the game laws of this State. And said game  
5 warden is authorized to seize and take possession of, on sight, any game,  
6 wild fowl or birds he may believe to be in the possession of any person or  
7 corporation unlawfully; and upon such seizure he shall, at once, make com  
8 plaint before a justice of the peace in the county where such seizure is  
9 made, whereupon said justice shall issue a summons against the owner or  
10 person or corporation in whose possession such game, deer, wild fowl or bird  
11 was found, which summons shall at once be served on said owner, person  
12 or corporation, returnable within not less than twelve nor more than twenty-  
13 four hours from the date thereof. Thereupon such further proceedings shall  
14 be had in said cause as provided in sections 4, 5 and 6 of this act.

§ 3. If said game wardens, or either of them, have reason to believe or  
2 do believe that any person or corporation has in his or their possession,  
3 contrary to law, any game, deer, wild fowl or birds, it shall be the duty of  
4 such game wardens to go before any justice of the peace in the county and  
5 make affidavit of that fact. Said justice shall thereupon issue a search  
6 warrant against the person or corporation so complained of, directed to any  
7 sheriff, game warden or constable of the county, commanding him to proceed  
8 at once and search for said game, deer, wild fowl or bird, and, upon finding  
9 the same, to seize and take possession of the same and keep it until the  
10 further order by the justice. Said sheriff, game warden or constable shall  
11 also read such warrant to the owner or person in whose possession said

12 game, deer, wild fowl or bird is found. Said warrant shall be substantially  
 13 as follows.

STATE OF ILLINOIS, )  
 - - - - - County. )

To Any Sheriff, Game Warden or Constable of Said County.

Greeting: "You are hereby commanded to search (here describe place)  
 and seize and take possession of and hold any game, deer, wild fowl or bird  
 found there, and you (here name owner or person or corporation in whose  
 possession game is found) are hereby notified to appear before me at my office  
 in (here locate office) on (here set time of trial) and show cause why the game,  
 deer, wild fowl or birds shall not be sold and the proceeds thereof distributed  
 as required by law.

(SIGNATURE OF JUSTICE),

Justice of the Peace.

(Date of Warrant.)

Which said warrant shall be returnable within not less than twelve nor  
 more than twenty-four hours from the date thereof.

§ 4. At the time mentioned in said warrant or summons, said justice  
 shall proceed to hear and determine whether said game, deer, wild fowl or  
 bird was in the possession of the person or corporation contrary to law,  
 and if said justice finds that said game, deer, wild fowl or bird was in the  
 possession of the defendant contrary to law, then said justice shall enter  
 judgment against the defendant, and order a sale of the game, deer, wild  
 fowl or birds seized. But if said justice shall find that the possession of  
 said game, deer, wild fowl or bird was not contrary to law, then the judg-  
 ment of the court shall be that the same be returned to the person or cor-  
 poration from whom the same was taken.

§ 5. In case of a judgment and order of sale, as specified in section 4,  
 then said sheriff, game warden or constable shall at once post two notices,

3 one at the justice's office and one at the place of sale, specifying in the  
 4 notice the time and place of sale, not less than five hours from the date of  
 5 judgment; also a description of the game, deer, or wild fowl to be sold.  
 6 Said place of sale shall be upon the principal produce street or market of  
 7 the city. Said constable shall at the time and place mentioned in said  
 8 notice sell said game, deer, wild fowl or bird, at public auction, to the  
 9 highest bidder, for cash, and at once pay the proceeds of such sale into  
 10 the justice court. Said sheriff, game warden or constable shall give to the  
 11 purchaser a certificate of purchase, in which shall be a particular descrip-  
 12 tion of the game sold, together with the date of sale; said certificate shall  
 13 entitle the purchaser, or his assignee, of same, to sell or have in his posses-  
 14 sion said game for five days from its date.

§ 6. Said justice shall, as soon as the proceeds of sale are paid into his  
 2 court, deduct the amount of his costs, together with the sheriff, game war-  
 3 den or constable's costs, and turn over to the sheriff, game warden or con-  
 4 stable making such seizure the balance of said money, which shall be kept  
 5 by him for his services.

§ 7. Said game wardens shall each make an annual report to the Gov-  
 2 ernor, showing the number and kind of game, deer, wild fowl and birds  
 3 seized, and what disposition was made of them, and the amount of the pro-  
 4 ceeds of sale.

§ 8. Game wardens shall not be liable for any damage or costs sustained  
 2 by any person or corporation by reason of the wrongful seizure of game,  
 3 deer, wild fowl or birds under this act: *Provided, however,* that the en-  
 4 forcement of this act shall in no wise prevent prosecutions of persons or  
 5 corporations for violations of the game laws of this State by any citizens of  
 6 this State.

1. Introduced by Mr. McDonald, March 27, 1891, and ordered to first reading.
  2. First reading March 27, 1891, and referred to Committee on State Charitable Institutions.
  3. Referred back with amendments April 29, 1891, passage recommended, and ordered to Committee on Appropriations.
  4. Reported back with amendments May 20, 1891, and ordered to second reading.
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## A BILL

For an act making appropriations for the Illinois Institution for the Education of the Blind, at Jacksonville.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That the following amounts be and are hereby appropriated to the Illinois Institution for the Education of the Blind, at Jacksonville;

1. For purchasing school apparatus and apparatus for teaching mechanical trades and the industrial arts, five thousand dollars (\$5,000).

2. For constructing and furnishing a building to be used as a dormitory for blind shop-hands, eighteen thousand dollars (\$18,000).

3. For enlarging and repairing the boiler house and purchasing a boiler and an engine, four thousand three hundred and forty dollars (\$4,340).

4. For constructing a kitchen and bakery and purchasing cooking apparatus and appliances for the same, ten thousand dollars (\$10,000).

5. For extra repairs, improvements and appliances necessary to provide suitable accommodations for sick inmates, two thousand dollars (\$2,000).

6. For constructing a covered walk connecting the main building and the girls' cottage, twenty-five hundred dollars (\$25,000).

17 7. For constructing a gymnasium and drill hall and purchasing furniture,  
18 apparatus and fixtures for the same, ten thousand dollars (\$10,000).

§ 2. The moneys herein appropriated shall be due and payable to the  
2 trustees of said institution, only on the terms and in the manner now pro-  
3 vided by law.

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PROPOSED AMENDMENTS TO SENATE BILL NO. 283, BY THE COM-  
MITTEE ON APPROPRIATIONS.

1. Amend section 1 by striking out of item 1 the words and figures "five thousand dollars (\$5,000)," and insert the words and figures "four thousand two hundred dollars, (\$4,200)" in lieu thereof.....

2. Amend item 2 by striking out the words and figures "eighteen thousand dollars (\$18,000)" and insert the words and figures "twelve thousand dollars (\$12,000)" in lieu thereof.

3. Amend item 3 by striking out the words and figures "four thousand three hundred and forty dollars (\$4,340)" and insert the words and figures "four thousand dollars (\$4,000)" in lieu thereof.

4. Amend item 4 by striking out the words and figures "ten thousand dollars (10,000)" and insert the words and figures "seven thousand five hundred dollars (\$7,500)" in lieu thereof.

5. Amend by striking out items 6 and 7.



**AMENDMENTS TO SENATE BILL No. 263--IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 in line 6 of the printed bill by striking out the words and figures "four thousand and two hundred dollars (\$4,200)," and inserting therefor the words "three thousand dollars (\$3,000)."

2. Amend same section in line 10 of the printed bill by striking out the words and figures "four thousand dollars (\$4,000)," and inserting therefor "three thousand six hundred and forty dollars (\$3,640)."

3. Amend section 1, line 9, by inserting after the word "house," the words "repairing boilers."



1. Introduced by Mr. Bass, March 27, 1891, and ordered to first reading.
2. First reading March 27, 1891, and referred to Committee on Judiciary.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

An act to amend section nine (9) of an act entitled "An act to remedy the evils consequent upon the destruction of any public records by fire or otherwise," approved and in force April 9, 1872, as amended by act approved June 15, 1887, in force July 1, 1887.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section nine (9) of an act entitled "An act to  
3 remedy the evils consequent upon the destruction of any public records by  
4 fire or otherwise," approved and in force April 9, 1872, as amended by act  
5 approved June 15, 1887, in force July 1, 1887, be amended so as to read as  
6 follows:

Section 9. Said abstracts, copies, minutes and extracts, or said copy  
2 thereof, if so bought as aforesaid, shall thereupon be placed in the record-  
3 er's office of such county, to be copied or arranged in such form as the  
4 county board shall deem best for the public interest, and in case the origi-  
5 nals have been lost or destroyed, or not in the power of the party asking  
6 to use the same on any trial or other proceeding, copies of the same or any

7 part thereof, duly certified by the recorder of deeds of such county, shall  
8 be admissible as evidence in all the courts of law and equity in this State.

9 And it shall be the duty of the recorder of deeds of such county to fur-  
10 nish to any and all parties requesting it (upon being paid the charges here-  
11 in provided for) certified copies of the same, or parts thereof; and for the  
12 purpose of repaying the cost of the same to the county, the county board  
13 may fix a compensation, to be paid to the county, in addition to the fees  
14 allowed by law to the recorder for transcribing the same. In all cases in which  
15 any abstracts, copies, minutes and extracts, or copies thereof, shall be re-  
16 ceived in evidence under any provisions of this act, all deeds or other in-  
17 struments of writing appearing thereby to have been executed by any per-  
18 son or persons, or in which they appear to have joined, shall (except as  
19 against any person or persons in the actual possession of the lands or lots  
20 described therein at the time of the destruction of the records of such  
21 county, claiming title thereto otherwise than under a sale for taxes or  
22 special assessments) be presumed to have been executed and acknowledged  
23 according to law; and all sales under powers, and all judgments, decrees and  
24 legal proceedings, and all sales thereunder (sales for taxes and assessments,  
25 and judgments and proceedings for the enforcement of taxes and assess-  
26 ments excepted) shall be presumed to be regular and correct, except as  
27 against the person or persons in this section before mentioned, and any per-  
28 son alleging any defect or irregularity in any such conveyance, acknowl-  
29 edgement, sale, judgment, decree or legal proceeding shall be held bound  
30 to prove the same, and any deed proved under the provisions of this act,  
31 purporting to be based upon the execution of any power or upon a judg-  
32 ment or decree shall be prima facie evidence of the existence of such power,  
33 judgment or decree: *Provided*, that nothing in this act contained shall im-  
34 pair the effect of said destroyed record or notice: *And provided further*,  
35 *that the presumption as to the due execution of any deed or other instrument*

36 shall not in any case be overcome or affected by any defective acknowledg-  
37 ment, or by the absence of any acknowledgment thereof, where more than twenty  
38 years shall have elapsed since the recording of such deed, or other instrument,  
39 and the person or persons claiming title thereunder shall have been in possession  
40 of, or paid taxes on, the property described therein, for seven years.



1. Introduced by Mr. Bass March 27, 1891, and ordered to first reading.
2. First reading March 27, 1891, and referred to Committee on Judiciary.
3. Reported back April 10, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 3 of an act entitled "An act in regard to aliens, and to restrict their rights to acquire and hold real and personal estate, and to provide for the disposition of the lands now owned by non-resident aliens," approved June 16, 1887.

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### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That section three (3) of an act entitled "An act in  
3 regard to aliens, and to restrict their rights to acquire and hold real and  
4 personal estate, and to provide for the disposition of the lands now owned  
5 by non-resident aliens," be and the same is hereby amended so as to read  
6 as follows:

Section 3. Any alien resident of the United States who has declared, or  
2 who shall declare his intention of becoming a citizen of the United States  
3 in accordance with the naturalization laws thereof, and every alien female  
4 who shall in good faith become an actual resident of the United States,  
5 shall thereupon be authorized and enabled to take and hold lands and real  
6 estate of any kind whatsoever to him or her and his or her heirs and  
7 assigns forever, and may during six years thereafter sell, assign, mortgage,  
8 devise and dispose of the same in any manner as he or she might or could  
9 do if he or she were a natural born citizen of the United States: *Provided,*  
10 that in the case of an alien male he shall at the time of acquiring such

11 lands cause to be recorded in the office of the recorder of deeds of the  
12 county in which such lands are situated a certified copy of his said decla-  
13 ration of intention to become such citizen, and in the case of an alien  
14 female her affidavit of the fact that she is in good faith an actual resident  
15 of the United States shall be so filed, but no such alien unless he or she be  
16 an actual resident of this State shall have power to lease or devise any real  
17 estate which he or she may take or hold by virtue of this provision: *Pro-*  
18 *vided, that in all cases where any deed to any land in this State has been or*  
19 *shall be made to any alien, such alien shall have power to convey to a citizen of*  
20 *the United States a good title thereto, or encumber the same in favor of a citi-*  
21 *zen, and a judgment or decree against such alien shall be a valid lien on such*  
22 *land if such deed, encumbrance, judgment or decree shall be made, executed or*  
23 *entered before any legal proceedings are taken to seize said land in behalf of the*  
24 *State of Illinois; and any deed or encumbrance heretofore made by any such*  
25 *alien, and any judgment or decree heretofore entered against any such alien*  
26 *shall have the same force and effect against any land so conveyed or to be con-*  
27 *veyed to any alien as if such deed or encumbrance, judgment or decree, had*  
28 *been made by or entered against a citizen of the United States.*



1. Introduced by Mr. Hagle, March 27, 1891, and ordered to first reading.
2. First reading March 27, 1891, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with amendments April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to revise the law in relation to permitting animals to run at large," approved March 30, 1874, in force July 1, 1874, by adding thereto an additional section to be numbered section 8.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That an act entitled "An act to revise the law in relation to permitting animals to run at large," approved March 30, 1874, in force July 1, 1874, be and the same is hereby amended by adding thereto an additional section to be numbered section 8, to read as follows:

Section 8. That whoever being the owner or having the possession of any animal of the species of swine more than four weeks old, shall, before allowing such animal to run at large, securely place or cause to be placed in the nose of such animal a metallic ring or rings sufficient to prevent such animal from turning, breaking or damaging the sod or turf by rooting. And any animal of the said species, over six weeks old, found running at large without such ring or rings, shall be considered as running at large in violation of section one (1) of the act to which this act is an amendment. Any vote heretofore had or that may hereafter be had to the contrary notwithstanding.

AMENDMENT PROPOSED BY COMMITTEE ON ROADS, HIGHWAYS  
AND BRIDGES.

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Amend by striking out the word "six" and insert the word "four" in  
fourth line of section 8 of the bill.

1. Introduced by Mr. Hazle, March 27, 1891, and ordered to a first reading.
2. First reading March 27, 1891, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with amendments April 2, 1891, passage recommended and ordered to second reading.
4. Second reading May 8, 1891, amended and ordered to third reading.

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## A BILL

For an act to amend an act entitled "An act to revise the law in relation to permitting animals to run at large," approved March 30, 1874, in force July 1, 1874, by adding thereto an additional section to be numbered section 8.

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That an act entitled "An act to revise the law in relation to permitting animals to run at large," approved March 30, 1874, in force July 1, 1874, be and the same is hereby amended by adding thereto an additional section, to be numbered section 8, to read as follows:

Section 8. That whoever being the owner or having the possession of any animal of the species of swine more than four weeks old, shall, before allowing such animal to run at large, securely place or cause to be placed in the nose of such animal a metallic ring or rings sufficient to prevent such animal from turning, breaking or damaging the soil or turf by rooting.

6 **And** any animal of the said species over four weeks old found running at  
7 large without such ring or rings shall be considered as running at large in  
8 violation of section one (1) of the act to which this act is an amendment.  
9 any vote heretofore had or that may hereafter be had to the contrary not-  
10 withstanding.

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 1. Introduced by Mr. Bacon, March 27, 1891, and ordered to first  
 to t'nsibrayz iding edit 'niocqqs of t'roug edit to ythd edit ed Hade it' report 9  
 2. First reading March 27, 1891, and referred to Committee on Judicial  
 to t'nsibrayz iding edit 'niocqqs of t'roug edit to ythd edit ed Hade it' report 9  
 3. Reported back April 2, 1891, passage recommended and ordered to  
 to t'nsibrayz iding edit 'niocqqs of t'roug edit to ythd edit ed Hade it' report 9  
 second reading.

## A BILL

For an act to amend section 3 of an act entitled "An act to provide for the appointment of a public guardian in each county in this State," approved June 3, 1889, and in force July 1, 1889.

### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 3 of an act entitled "An act to pro-  
 3 vide for the appointment of a public guardian in each county of this  
 4 State," approved June 3, 1889, and in force July 1, 1889, be amended so as  
 5 to read as follows:

55. When Public Guardian to be Appointed. Section 3. Whenever any  
 2 minor resident of this State, possessed of real or personal estate, or being a  
 3 non-resident of this State, has any estate in this State, and who has no  
 4 guardian of such estate, by reason of the relatives of such minor failing to  
 5 apply for guardianship or refusing to apply for letters of guardianship of  
 6 such minor, or upon the removal or resignation of any guardian, or when  
 7 ever the county judge or the judge of the probate court, in counties where  
 8 probate courts are established, shall for any cause deem necessary and

9 proper, it shall be the duty of the court to appoint the public guardian of  
10 the county where the minor resides, or if such minor is a non-resident of  
11 this State, then in the county where such minor's estate or some part  
12 thereof is situate, as guardian of the estate of such minor.

1. Introduced by Mr. Bacon March 27, 1891, and ordered to first reading.
2. First reading March 27, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 1 of an act entitled "An act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, and in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That section 1 of an act entitled "An act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, and in force July 1, 1874, be amended so as to read as follows:

1. Proceedings for Conservator. Section 1. That whenever any idiot, lunatic or distracted person has any estate, real or personal, or when any person, by excessive drinking, gaming, idleness or debauchery of any kind, so spends, wastes or lessens his estate as to expose himself and his family to want or suffering, or any county, town or incorporated city, town or village to any charge or expense for the support of himself or his family, the county court of the county in which such person lives shall, on the application of any relative, creditor or the public guardian of such county, order a jury to be summoned to ascertain whether such person be idiot,

10 lunatic or distracted, a drunkard or such spendthrift; and if the jury re-  
11 turn in their verdict that such person is an idiot, lunatic or distracted, or  
12 drunkard, or so spends, wastes or lessens his estate, it shall be the duty of  
13 the court to appoint some relative or creditor, or if there be no relative or  
14 creditor willing to act, then the public guardian of the county to be the  
15 conservator of such person.



1. Introduced by Mr. Berry, March 27, 1891, and ordered to first reading.
2. First reading March 27, 1891, and referred to Committee on Revenue.
3. Reported back May 29, 1891, passage recommended, and ordered to second reading.

## A BILL

For an act to amend chapter 129 of the revised statutes, entitled "Revenue."

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**SENATE.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That in counties under township organization, any  
3 person or corporation deeming him, her or itself aggrieved by any assess-  
4 ment made by any town assessor, who has under section 86 of said chapter  
5 presented such grievance to the town board of review for correction and  
6 relief and has failed, and has further presented such grievance to the board  
7 of supervisors of the county at its July meeting, under section 97 of said  
8 chapter, and failed to obtain the relief sought, may within 10 days after the  
9 decision of said board of supervisors thereon, appeal to the next probate  
10 term of the county court, from the decision of said board of supervisors,  
11 upon giving bond to the People of the State of Illinois, in such sum and  
12 with such security as such court shall approve, and such court shall in a  
13 summary way without formal pleadings, either with or without a jury,  
14 investigate such grievance, upon such evidence as shall be offered by the  
15 party aggrieved on one side and the public authorities on the other, and  
16 the decision of said court upon such hearing shall be final and the assess-  
17 ment complained of shall be made to conform to such decision. Either party,  
18 may appeal from such decision to the supreme court, as in other revenue  
19 cases. On such appeal the State's attorney or Attorney General shall appear  
20 and defend the public interests.



1. Introduced by Mr. Newell March 31, 1891, and ordered to first reading.
2. First reading March 31, 1891, and referred to Committee on Judiciary.
3. Reported back April 10, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 10 of "An act to revise the law in relation to coroners," approved February 6, 1874, in force July 1, 1874.

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**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly*, That section 10 of an act entitled, "An act to revise  
3 the law in relation to coroners," approved February 6, 1874, in force July  
4 1, 1874, be and is amended so as to read as follows:

Section 10. Every coroner, whenever and as soon as he knows or is in-  
2 formed that the dead body of any person is found, or lying within his  
3 county, supposed to have come to his or her death by violence, casualty or  
4 any undue means, he shall repair to the place where the dead body is, and  
5 take charge of the same, and forthwith summon a jury of six good and  
6 lawful men of the neighborhood where the body is found or lying, to assem-  
7 ble at the place where the body is, at such time as he shall direct, and  
8 upon a view of the body, to inquire into the cause and manner of the  
9 death: *Provided*, that if the dead body be that of a female the jury may  
10 be composed of women having similar qualifications to those of men for like  
11 service.



1. Introduced by Mr. Lehman, March 31, 1891, and ordered to first reading.
2. First reading March 31, 1891, and referred to Committee on Banks and Banking with order to print for use of committee.

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## A BILL

For an act in regard to banks and banking, to incorporate, license and regulate the same and to repeal certain acts therein named.

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**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That on a ratification of this act by a vote of the

3 people in accordance with the constitution of this State, corporations or

4 associations may be formed by any number of natural persons, not less

5 than five, for the purpose of carrying on the business of banking under

6 this act, to buy and sell exchange and do a general business of discount

7 and deposit, to loan money on personal security and to accept trusts: *Pro-*

8 *vided,* that they shall not have authority to loan on real estate except as

9 hereinafter provided, and shall not be authorized to issue bills to circulate

10 as money.

§ 2. Articles of association shall be signed by such incorporators, which

2 shall specify and certify:

3 1st. The name assumed, which shall be subject to the approval of the

4 Auditor of Public Accounts.

5 2d. The location, designating the city, town or village and the county in

6 which such business is to be transacted.

7 3d. The amount of capital stock and the number of shares into which it

8 is to be divided—shares to be one hundred dollars each.

9 4th. The names and residence of and the number of shares held by  
10 each shareholder, showing that the capital stock is fully subscribed for.

11 5th. The object of the incorporation, showing that the certificate is made  
12 to enable the incorporators to form such association under this act.

13 6th. Period of its duration not to exceed 30 years; which certificate shall  
14 be acknowledged before a notary public and filed at the office of the  
15 Auditor of Public Accounts, who shall then issue his certificate authoriz  
16 ing said incorporators to proceed with the organization of such association.

§ 3. Authority to organize and to transact business. Upon the receipt of  
2 the Auditor's certificate authorizing them to organize, the incorporators  
3 shall call a meeting of the subscribers to the capital stock of such associa-  
4 tion for that purpose (upon not less than a five days' written notice sent  
5 through the mail).

6 At said meeting the shareholders shall elect a board of directors after  
7 determining upon the number of directors to be chosen to manage the  
8 affairs of the association, to consist of not less than five stockholders having  
9 the qualifications defined in this act.

10 The directors elected at said meeting shall serve until the first annual  
11 meeting of the stockholders thereafter or until their successors are elected  
12 and have qualified.

13 When said directors shall have qualified by taking the oath of office and  
14 organized by the election of such officers and employes as may be author-  
15 ized by by-laws to be passed by them, and the capital stock of such associ-  
16 ation shall have been fully paid up and the Auditor notified by the presi-  
17 dent or cashier of such association (statement under oath), the Auditor  
18 shall, after he has satisfied himself of the truth of such statement by an  
19 examination of the affairs of such association, in person or through a duly  
20 authorized examiner, issue his certificate to such association authorizing  
21 them to do a banking business; and upon said certificate being duly re-

22 corded in the office of the recorder of deeds for the county in which  
23 such association is located, they may proceed to transact such business.

§ 4. General corporate powers, change of name, consolidation. The cer-  
2 tificate of the Auditor, authorizing such corporation to do business, or a  
3 copy thereof, duly certified by the Auditor, may be used in evidence in all  
4 courts for or against any such association, and upon filing such certificate  
5 in the office of the recorder of the county in which said association's princi-  
6 pal office is located, the persons therein named and their successors shall  
7 thereupon be duly constituted a body corporate, by the name in such cer-  
8 tificate mentioned; and by that name shall have succession, may sue and  
9 be sued, complain and defend in any court of law or equity, and shall be  
10 vested with all the powers and charged with all the liabilities conferred or  
11 imposed by this act or any act amendatory thereof, and may make and use  
12 a common seal.

13 Change of name, etc. Any association doing a banking business under  
14 this or any prior act may change its name or location within this State in  
15 the following manner:

16 Whenever the stockholders representing three-fourths of the capital stock  
17 of such corporation, at a meeting called for that purpose, due notice by  
18 publication in a newspaper of general circulation published in the city,  
19 town or village where such bank is located (or if none therein published,  
20 then within the county) for thirty days prior to such meeting, having been  
21 given, and each stockholder having been duly served by a like notice  
22 through the mail, addressed to his last known place of abode, shall decide  
23 by resolution to change its name or its location, a copy thereof shall be  
24 recorded in the office of the recorder of the county where said bank is then lo-  
25 cated and another copy forwarded to the office of the Auditor of Public Accounts,  
26 who shall first approve such change, and a third copy having been pub-  
27 lished for thirty days in such newspaper, then such change of name or lo-

28 cation may be effected; but such change shall in no wise affect the debts,  
29 demands, liabilities, rights, privileges or powers of any such bank in any  
30 way whatever.

31 Consolidation.—Whenever any bank incorporated under the laws of this  
32 State shall desire to consolidate with another like corporation, the board of  
33 directors of each corporation shall call a meeting of the stockholders there  
34 of (notice thereof to be given in the same manner as for annual meetings)  
35 at which meeting the question of such consolidation shall be submitted to  
36 a vote of the shareholders, to be taken by ballot, and if such proposition  
37 shall be adopted by a vote of two-thirds of the capital stock of each asso-  
38 ciation, the directors thereof shall be authorized to consummate the consol-  
39 idation upon such terms as shall have been agreed on and submitted to  
40 such vote: *Provided*, that a certificate of such proceedings, verified by the  
41 affidavit of the president or cashier, and the seal of each association, shall  
42 first be filed in the office of the Auditor and a like certificate filed in the  
43 office of the recorder of deeds of the county or counties in which such  
44 banks are located, and the Auditor shall be satisfied that all proceedings  
45 are regular and that the rights and interests of all creditors or stockholders  
46 of such associations are fully secured and made safe, and for this purpose  
47 he may provide such additional rules and regulations, and require addi-  
48 tional reports or make examinations necessary and not inconsistent with  
49 the provisions of this act, and thereupon he shall issue his certificate of  
50 authority, which shall be duly recorded as like certificates are and said  
51 consolidated association may then proceed to transact a banking business  
52 as provided in this act.

§ 5. Election and qualification of directors, annual and special meetings.

2 —An annual meeting of the stockholders of associations incorporated  
3 under the laws of this State shall be held on the first Monday in the  
4 month of January, for the election of a board of directors of such associa-  
5 tion (unless some other date in said month shall be fixed by its by-laws).



6 Thirty days previous notice of such meeting shall be given to each stock  
7 holder of the time, place and object of such meeting, by mailing the same  
8 to his address, and also by publication of such notice in some newspaper  
9 of general circulation published where such association is located, for the  
10 same length of time if any is published at such place, and if not, then in  
11 a newspaper published nearest thereof. Notice of any special meeting of  
12 stockholders shall be given in like manner.

13 The board of directors chosen at such meeting shall hold their office for  
14 the period of one year or until their successors are duly elected and have  
15 qualified by taking an official oath, the form of which shall be prescribed  
16 by the Auditor.

17 Vacancies on such board of directors shall be filled by the remaining  
18 members of the board, a two-thirds vote of such members being necessary  
19 to elect.

20 The number constituting such board of directors may be increased or  
21 decreased by a vote of the shareholders owning a majority of the capital  
22 stock of such association at any annual meeting, such vote to be taken by  
23 ballot: *Provided*, that such board shall not consist of less than five persons.  
24 No person shall be elected as a director, or serve as such, who does not  
25 own in his own right and name at least ten shares of the capital stock of  
26 such association, unpledged and fully paid up, or who is not a citizen of  
27 the United States. At least two-thirds of the directors shall have been  
28 residents of this State for the period of one year preceding their election,  
29 and shall so continue to reside while acting as directors, and a majority of  
30 such board shall be residents and citizens within the county where such  
31 association is located.

32 In all elections of directors, and in deciding all questions at meetings of  
33 stockholders, each shareholder shall be entitled to one vote on each share  
34 of stock held by him.

35 Shareholders may vote by proxies duly authorized in writing and  
 36 acknowledged before some notary public; but no officer or employe of such  
 37 association shall act as proxy.

38 Every director shall be chosen by a majority of the shares into which  
 39 the capital stock of the association is divided: *Provided*, that each share-  
 40 holder may vote so as to cumulate his shares and thereby give one candi-  
 41 date as many votes as the number of directors multiplied by the number  
 42 of his shares of stock shall equal, or to distribute them on the same princi-  
 43 ple among as many candidates as he shall see fit.

44 Any omission or failure to elect directors shall not impair any of the  
 45 rights and privileges of the association or of any person in any way inter-  
 46 ested, but the existing directors shall hold office until their successors are  
 47 elected and qualified.

§ 6. Corporate powers vested in the board of directors. The corporate  
 2 powers of any such association or company shall be vested in a board of  
 3 directors. A majority of such board shall constitute a quorum to transact  
 4 all business in such board, except as otherwise provided in this act.

5 The board of directors shall elect from their number annually a president  
 6 and vice-president, and appoint a cashier and such other officers or em-  
 7 ployes as their business may require, and they may remove such officers or  
 8 employes at pleasure and elect or appoint others in their place.

9 The board of directors may make, alter or amend such by-laws as they  
 10 think proper for the regulation of the affairs of such association not incon-  
 11 sistent with the provisions of this act: *Provided*, that by-laws shall not be  
 12 altered or amended without a concurrence of a majority of all the directors  
 13 elected.

14 The board of directors shall keep a full record of their proceedings and  
 15 of stockholders' meetings, and there shall also be kept a correct record of  
 16 all stock transfer, including the name and residence of stockholders and

17 amount of stock held by each stockholder, and of all transfers of shares of  
18 stock.

§ 7. Stockholders' liability. Every stockholder in any bank or banking  
2 association organized under the provisions of this act shall be individually  
3 responsible and liable to its creditors to an amount equal to his respective  
4 shares of stock held by him or her, over and above the amount of stock so  
5 held for all its liabilities accruing while remaining such stockholder.

6 It is hereby made the duty of the president and cashier of any bank,  
7 within thirty days after its organization, to file in the office of the recorder  
8 of deeds of the county in which such bank is located a certified list of all  
9 the original stockholders, giving the number of shares of stock held by  
10 each of them, and thereafter a certificate of all transfers of stock, not later  
11 than ten days after such transfer. No transfer shall operate as a release  
12 of liability herein provided.

§ 8. Classification of banks. Banks or banking associations may be  
2 organized under the provisions of this act in all cities, towns and villages  
3 with a minimum capital stock according to their population as shown by  
4 the preceding United States census as follows:

5 1st. In all cities, towns and villages having a population less than two  
6 thousand, of fifteen thousand dollars.

7 2d. In all cities, towns and villages of two thousand and not exceeding  
8 five thousand population, of twenty-five thousand dollars.

9 3d. In all cities, towns and villages of not exceeding ten thousand (and  
10 over five thousand), of fifty thousand dollars.

11 4th. In all cities, towns and villages of not exceeding fifty thousand  
12 and over ten thousand, of one hundred thousand dollars.

13 5th. In all cities and towns of fifty thousand or more population, of two  
14 hundred thousand dollars.

§ 9. Increase, decrease and impairment of capital stock.—Should the cap-

2 ital stock of any bank organized under the laws of this State become im-  
3 paired, the Auditor shall give notice to such bank to have the impairment  
4 made good by a sufficient assessment of the stockholders thereof or a re-  
5 duction of its capital stock, if such reduction will not violate the provi-  
6 sions of section eight of this act, classifying banking capital according to  
7 population.

8 The Auditor is hereby authorized, should such capital stock remain im-  
9 paired for thirty days after such notice, to enter suit against any stock-  
10 holders of such bank in the name of the People of the State of Illinois, for  
11 the use of such bank, in any court of competent jurisdiction for his or her  
12 pro rata proportion of such impairments, which, when collected, he shall  
13 pay over to such bank, and the court in which such recovery is made or  
14 judgment entered shall include therein all costs and a reasonable attorney's  
15 fee to be fixed by such court. All losses sustained by any bank so incor-  
16 porated, which shall exceed its net profits actually collected, shall work as  
17 a reduction and impairment of its surplus fund and capital stock, and shall  
18 be deducted first from its surplus fund, and if exceeding it, then from the  
19 capital stock, and no dividends shall be declared by such bank until such  
20 surplus fund and capital stock are restored to the legal maximum amounts  
21 required by this act.

22 Any bank so organized may increase its capital stock by giving notice  
23 thereof to the Auditor of Public Accounts, accompanied by a sworn copy  
24 of the proceedings had by the directors and stockholders meetings (special  
25 or regular) authorizing such increase; but no increase shall be valid until  
26 the whole amount thereof is paid in and the fact certified under oath to  
27 the Auditor, who shall then issue his certificate authorizing such increase,  
28 which shall be recorded as original certificates of incorporation are.

29 Any bank so organized may in like manner reduce its capital stock, pro-  
30 vided such decrease does not reduce it below the minimum determined by

31 section eight of this act. The vote of two-thirds of the directors and of  
 32 shareholders owning two-thirds of its capital stock shall be necessary to do  
 33 so, and every shareholder shall have thirty days' notice in writing of the  
 34 meeting, whether regular or special, at which the proposition of a reduction  
 35 of the capital stock shall be acted upon.

36 The proceedings had for such reduction of capital stock shall be certified  
 37 under oath to the Auditor of Public Accounts, who shall, when satisfied  
 38 that all proceedings were had in accordance with the law, issue his certi-  
 39 ficate authorizing such reduction of capital stock, which certificate shall be  
 40 recorded within ten days thereafter as original certificates of incorporation  
 41 are.

42 Upon the issuing of such certificate the board of directors of such bank  
 43 may proceed to act on such reduction by a reissue of certificates of stock  
 44 to stockholders and payment to them of difference of values pro rata, or  
 45 the addition of such assets to the bank's surplus fund, or in any other  
 46 manner not inconsistent with law or the rights of the respective share-  
 47 holders: *Provided*, that the Auditor of Public Accounts may refuse to grant  
 48 his certificate authorizing such reduction of capital stock if, on examina-  
 49 tion of the affairs of such association, he shall become satisfied that such  
 50 reduction may endanger the rights or interests of the creditors of such as-  
 51 sociation, or he may withhold such certificate until such association has re-  
 52 duced its liabilities as he may direct.

§ 10. Banking Powers. Banking corporations now organized or to be  
 2 organized under this act shall have power to carry on the business of  
 3 banking by discounting bills, notes and other evidences of debt, or receiving  
 4 deposits, buying and selling foreign and other coin and bills of exchange  
 5 and loaning money on personal security; but not on real estate except as  
 6 hereinafter provided.

7 They may accept and execute trusts, whether fiduciary or otherwise as

8 may be committed to them by persons or corporations, or by the order of any  
 9 court or other legally constituted authority and may act as executor, ad-  
 10 ministrator guardian, assignee, trustee, depository or referee and exercise such  
 11 incidental powers as may be necessary to carry on such business as is herein  
 12 authorized, subject to such regulations as the General Assembly may pres-  
 13 cribe: *Provided*, that until such time as the General Assembly may act the  
 14 Auditor of Public Accounts may prescribe such regulations.

§ 11. Limitations and restrictions as to real estate. It shall be lawful  
 2 for such associations to purchase, hold and convey real estate for the  
 3 following purposes and not otherwise:

4 1st. A banking house, such as may be necessary for its own accommo-  
 5 dation in the transaction of its business, and from a part of which not so  
 6 used, a revenue may be derived.

7 2d. Any real estate mortgaged or conveyed to it as additional  
 8 security for, or in satisfaction of, loans previously made by it on personal  
 9 security, or in trust for another.

10 3d. Any real estate purchased at sales in satisfaction of judgments,  
 11 decrees or mortgages held by such association: *Provided*, that all such real  
 12 estate shall be conveyed to and held by such association in its own name,  
 13 and that all real estate held or acquired by such association, except its  
 14 banking house or such as may be held under specific trust, shall be sold by  
 15 such corporation within five years after acquiring title to the same.

§ 12. Regulation of banking business, cash reserve.—Every banking  
 2 association heretofore organized or incorporated under this act shall at all  
 3 times keep on hand an amount of cash equal to at least twenty per centum  
 4 (20) of the aggregate amount of its deposits. Whenever such cash reserve  
 5 shall be below said amount, such association shall not increase its liabilities  
 6 by making new loans or discounts, except sight bills of exchange, nor declare  
 7 or make any dividends until such proportion has been restored: *Provided*,

8 that one-half of said cash reserve may consist of balances due such bank,  
 9 and payable on demand, from banks incorporated under the laws of this  
 10 State or of the United States to be known as "designated depository" to  
 11 be approved, on application of such bank, by the Auditor of Public Accounts,  
 12 and that this proviso shall apply only to banking associations in cities, towns  
 13 or villages having a population of less than 50,000, and in all cities having  
 14 a larger population, clearing house certificates, representing lawful money,  
 15 of any clearing house association shall be deemed as cash on hand if such  
 16 banking association belong to such clearing house, to the limit as aforesaid.

§ 13. Dividends and surplus. The directors of any association may, semi-  
 2 annually in January and July, declare a dividend of so much of the net  
 3 profits of the association, actually collected, as they may deem proper and  
 4 expedient. Such net profits shall be ascertained after deducting therefrom  
 5 all losses, expenses, taxes and bad debts.

6 Bad debts shall consist of such liabilities due to such association as shall  
 7 be past due for one year, unsecured and no interest paid thereon for that  
 8 period: *Provided*, that until a surplus fund equal to twenty-five per centum  
 9 of the capital stock of such association is accumulated and set apart, such  
 10 association shall first carry at least ten per centum of such net profits to  
 11 such fund, and whenever such fund shall by reason of losses sustained fall  
 12 below said twenty-five per cent., then such 10 per cent. or more of net  
 13 profits shall be again first applied to the accumulation of such surplus fund.

§ 14. Prohibitions and limitations. It shall not be lawful for the  
 2 directors, managers or trustees of any banking association now or hereafter  
 3 organized under the laws of this State:

4 1st. To declare dividends except as hereinbefore provided.

5 2d. To divide, withdraw, or in any manner pay to the stockholders any  
 6 part of its capital stock or surplus fund, or to reduce such capital, except  
 7 as specifically provided by law.

8 3d. To directly or indirectly discount or receive the note or other evidence  
9 of debt of a stockholder in payment of installments due on stock called in  
10 to be paid, or otherwise to provide such stockholder with the means for  
11 paying such installment.

12 4th. To purchase or directly or indirectly hold shares of its own stock.

13 5th. To receive any shares of its stock as security for any debt due to it:  
14 *Provided, however,* if any of its shares shall be pledged to it to save such  
15 debt and the debt intended to be secured thereby shall not be paid when  
16 due, it shall be the duty of the directors, within sixty days thereafter, to  
17 cause such shares to be sold and the amount received thereon to be cred-  
18 ited on such debt.

19 6th. To receive from any other stock corporation in exchange for its  
20 shares, the shares of stock, notes, bonds or other evidences of debt issued  
21 by such corporation.

22 7th. To make any loans or discounts to the directors, managers or trus-  
23 tees of such banking association or upon paper signed by any of them to an  
24 amount exceeding one-tenth of its capital stock, or to make any loans or  
25 discounts to any person, firm, company or corporation (including endorse-  
26 ments) exceeding at the time of making or renewing it, one-tenth part of the  
27 capital stock and surplus fund of the association: *Provided,* that no secu-  
28 rities taken for such loans or discounts shall thereby be held invalid.

§ 15. Reports and supervision. Every association or incorporation organ-  
2 ized under the laws of this State, and every person, firm or association of  
3 persons, or other corporation doing a banking business in this State (and  
4 for the purposes of this act the receiving or advertising to receive deposits  
5 shall be deemed keeping a bank or doing a banking business), shall make  
6 and transmit to the Auditor of Public Accounts full and accurate state-  
7 ments in such form as he may prescribe at such times as he may call for  
8 the same (not to exceed four times in each year), exhibiting its resources



9 and liabilities at the close of business on some day prior to such call for  
10 the same.

11 Such statements shall be signed and certified under oath by the president  
12 or cashier of any incorporated bank or by the person, or one of the per-  
13 sons, owning such bank, when made by any banking institution not incor-  
14 porated; and such statement shall also be published in some newspaper of  
15 general circulation in the city, town or village where such banking business  
16 is transacted, or if none therein published, then in a newspaper published  
17 at a place nearest thereto, and a copy of such published statements shall  
18 be transmitted by such bank to the Auditor, duly certified by the publisher  
19 in such form as the Auditor may require, within five days after such pub-  
20 lication.

21 Any person, firm, association or corporation doing a banking business in  
22 this State, who shall fail to make and transmit such report (or any special  
23 report required by the Auditor) within five days after receiving call for the  
24 same, shall forfeit the sum of one hundred dollars for each day of delay  
25 thereafter, recoverable by the said Auditor, for the use of the banking  
26 department of his office, in any court of competent jurisdiction, and he may  
27 immediately cause an examination of such bank to be made as hereinafter  
28 provided: *Provided*, that whenever in the opinion of the Auditor it may be  
29 justifiable or for the interest of the depositors or other creditors or stock-  
30 holders of any bank or banking business to call for a special report, he may  
31 call for the same in the manner hereinbefore stated, except that the publi-  
32 cation of such report shall be at his discretion, and should he deem it then  
33 necessary he may order an examination of such bank as hereinafter  
34 provided.

35 In addition to the reports herein required a "dividend and earnings" re-  
36 port shall be made to the Auditor in such form as he may require, semi-  
37 annually in January and July, such report to be under oath as other  
38 reports are.

§ 16. Licenses.— Every person, firm or association or corporation not incorporated under the laws of this State, doing a banking business by receiving, or by sign or other notice, or form of advertisement, offering to receive deposits in this State, shall within thirty days after this act takes effect, file a written application for a license to transact such business at the office of the Auditor of Public Accounts.

Such application shall give the title, corporate, true firm, or other name of such banking business, where located, the amount of capital invested, of what it consists, and its liabilities and resources, also such other information and in such form as the Auditor shall require, to be sworn to by the officer authorized by such association or corporation to transact its business, or by one of the owners of such banking business.

Every person, firm, association or corporation hereafter opening or doing such banking business shall, before it receives deposits, make a like application for a license. All licenses shall be recorded in the office of the recorder of deeds of the county where said business is transacted.

The Auditor of Public Accounts shall thereupon issue a license to such bank to transact such business, which license shall continue in force as to the person, firm, association or corporation therein named until the same is surrendered, revoked, annulled, or made void according to law: *Provided*, that the Auditor shall first satisfy himself of the truth of the statements contained in such application in the manner provided in section seventeen of this act, relating to the examination of banking institutions; and that the application is made in good faith by reputable and responsible persons.

Whenever any change occurs in the ownership of such bank by the death or withdrawal of any person interested, dissolution, sale or by impairment of capital invested or of net assets or otherwise, such license shall become void, and it shall be the duty of the Auditor to send a notice thereof to the recorder of deeds of the county in which such banking business is

transacted, who shall so endorse the record of such license by recording said notice across its face.

All applications for licenses shall be accompanied by a fee of ..... dollars, which unless the application be refused, in which case the fee shall be refunded, shall be placed to the credit of the bank department fund of the Auditor's office.

It shall be the duty of all persons, firms, associations or corporations doing such banking business to immediately notify the Auditor of such change or partial change of ownership, under penalties hereinafter provided.

§ 17. Examination of banks and banking business.—The Auditor of Public Accounts may through the superintendent of the banking department or an examiner appointed by him, visit and examine every banking business in the State, whether incorporated or not, at least once in each year, and at such other times as may be made necessary by the condition of such banking business.

The person so examining such banking business shall have power to inspect all books, papers and assets of the same, and shall be authorized to administer oaths and compel the attendance of any person whose testimony may be required to make such examination thorough and complete, and the attendance of such persons and production of papers may be compelled by summons, subpoena or attachment in the manner now authorized in regard to the attendance of persons as witnesses in the courts of record in this State.

The expenses of examination of any banking business or incorporated bank shall be paid by such business or bank, and to defray such expense the following schedule of fees is hereby fixed for regular or annual examinations:

For examining a bank having a capital stock of \$25,000 or less, \$15; over \$25,000 and to \$50,000 inclusive, \$20; over \$50,000 and to \$100,000 inclusive,

21 \$25; over \$10,000 and to \$20,000 inclusive, \$30; over \$20,000 and to \$300,000  
 22 inclusive, \$40; over \$300,000 and to \$400,000 inclusive, \$50; over \$400,000 and  
 23 to \$500,000 inclusive, \$60; all over \$500,000 capital, \$75.

24 For examining a bank or banking business (having no capital stock)  
 25 shown by such examination to have less than \$50,000 deposits, \$15; over that  
 26 amount and less than \$100,000 deposits, \$20; over \$100,000 and less than  
 27 \$200,000 deposits, \$25; over \$200,000 and less than \$300,000 deposits, \$30; over  
 28 \$300,000 and less than \$400,000 deposits, \$35; over \$400,000 and less than  
 29 \$500,000 deposits, \$40; over \$500,000 and less than \$750,000 deposits, \$50; over  
 30 \$750,000 and less than \$1,000,000 deposits, \$60; all over \$1,000,000, \$75; which  
 31 fee shall be in lieu of all other compensation and mileage; *Provided*, that  
 32 in all other or special examinations, an additional charge of five cents per  
 33 mile each way, computed by the most direct line of railway from the State  
 34 capital, may be made and collected, but no examiner shall examine more  
 35 than one bank on any one day.

36 No persons shall act as examiner of any bank or banking business who is  
 37 actively engaged in banking business as an officer, employee, owner or part-  
 38 ner therein, nor shall any examiner examine the affairs of any bank of  
 39 which he is a stockholder.

40 No bank or banking business shall be subject to any visitatorial powers  
 41 other than herein authorized, except such as are vested in the courts.

§ 18. Penalties for violation of act, false certification, or assumption of  
 2 name, firm or title. Any person, firm, association or corporation doing a  
 3 banking business in this State without first obtaining a license or a certi-  
 4 ficate of incorporation, giving authority to transact such business, or who  
 5 shall fail to make reports, submit to examinations, or shall in any manner fail  
 6 or refuse to comply with, or shall otherwise violate the provisions of this act so  
 7 far as it may apply to or govern such person, firm, association or corporation, shall

8 upon conviction thereof, in any court of competent jurisdiction, upon a  
9 complaint filed by the Auditor of Public Accounts in the name of the  
10 People of the State of Illinois, be fined in a sum of not less than \$100 or  
11 more than \$1,000 for each day such violation or evasion shall continue.

12 Whoever shall falsely assume a firm partnership or corporate banking  
13 name, or shall by sign or other mode of advertisement, falsely assume or  
14 announce that any person engaged in such banking business with him, or  
15 shall in such case use the "Company" or "Co." when no partnership exists  
16 to transact such business, shall upon conviction thereof in any court of  
17 competent jurisdiction, be fined not less than one hundred dollars (\$100)  
18 nor more than one thousand dollars (\$1,000), or imprisoned in the county  
19 jail not less than sixty days or more than one year or both in the discretion  
20 of the court, upon a complaint filed by any citizen or the State's attorney  
21 to be prosecuted by him in the name of the People of the State of Illinois.

22 Any officer, owner, clerk or agent of any bank or banking firm or business  
23 who shall certify any check or draft drawn upon such bank or banking firm  
24 or business to be good, when the person, company or corporation drawing  
25 such check or draft has not on deposit therein an amount equal to the  
26 amount stated in the same, shall on conviction thereof, in any court of  
27 competent jurisdiction, on complaint filed by any citizen or by the State's  
28 attorney of the county to be prosecuted by him in the name of the People  
29 of the State of Illinois, to be fined in any sum not less than one hundred  
30 dollars or more than one thousand dollars, and to imprisonment in the  
31 county jail not exceeding one year, at the discretion of the court.

32 Any check so certified by any authorized person or officer shall be a good  
33 and valid obligation against such bank, banking firm or business.

34 Every director of an incorporated bank who shall violate or be concerned  
35 in violating any of the provisions of this act shall be personally liable to  
36 the creditors and stockholders respectively of the corporation of which he

37 is a director, to the full extent of any loss which they, or either, may sus-  
 38 tain by reason of such violation.

§ 19. Power to appoint receiver and to wind up banking corporation and  
 2 withdraw license from persons, firms, or corporations doing a banking  
 3 business. Whenever the Auditor of Public Accounts shall become satisfied  
 4 that the capital stock of any incorporated bank or the net assets of any  
 5 person, firm or association doing a banking business as defined by this act,  
 6 shall be impaired or reduced and shall so remain impaired or reduced for  
 7 thirty days, except as provided for in this act, or that such bank or bank-  
 8 ing business is managed in violation of any of the provisions of this act,  
 9 he may file a bill in chancery in the circuit court of the proper county  
 10 against such bank or person, firm or association owning or managing such  
 11 banking business, in the name of the People of the State of Illinois, praying  
 12 for the appointment of a receiver to liquidate and wind up its affairs.

13 The court or a judge thereof in vacation shall, when satisfied that  
 14 sufficient cause is shown, appoint some suitable and disinterested person  
 15 and fix his bond as such receiver.

16 Such receiver upon the acceptance of his bond and security by the court,  
 17 or judge, shall then proceed under the direction of said court to promptly  
 18 execute his trust.

§ 20. Voluntary liquidation of the affairs of banks and banking busi-  
 2 ness. Any association incorporated under the laws of this State may enter  
 3 into voluntary liquidation to close up its business before the expiration of  
 4 its charter, upon a vote (taken by ballot) of its shareholders representing  
 5 two-thirds of its capital stock at any regular or special meetings of the  
 6 stockholders thereof (notice thereof to be given in the same manner as for  
 7 annual meetings of stockholders).

8 The resolution so submitted and adopted shall be certified to the Auditor  
 9 and a copy thereof published in a newspaper of general circulation, pub-

10 lished in the place where such bank is located, and if none is there pub-  
11 lished, then in a newspaper nearest thereto, and a copy of such publication  
12 certified under oath by the publisher forwarded by said bank to the Audi-  
13 tor, who shall after examination thereof and being satisfied that such bank  
14 is solvent issue his certificate, authorizing it to close its business.

15 The directors or officers acting under their authority may thereupon pro-  
16 ceed to close up the business of such association, but they shall not receive  
17 deposits or create any new liabilities thereafter.

18 If after a period of six months has elapsed from the date of the certificate  
19 of the Auditor authorizing such bank to close its business, the said associa-  
20 tion shall not have liquidated its liabilities and distributed its remaining  
21 assets to its stockholders, and resigned or surrendered its charter, then  
22 the Auditor shall require said bank to deposit a sum sufficient to pay all  
23 outstanding liabilities as may be shown by an examination of such bank  
24 then to be made, and shall give public notice for four weeks in the same  
25 manner as is required for the publication of resolution to close up business,  
26 that all notes, or other liabilities, of such association will be redeemed by  
27 him. Any balance of said deposit remaining in his hands after a period of  
28 five years from the date of said notice shall be distributed by him, with  
29 such interest thereon as may have been accumulated, to the stockholders  
30 of such bank. Such deposit may be made in some bank designated by the  
31 Auditor, to be under his direction and subject to his order.

32 The Auditor shall be entitled to two per cent. of all money paid out by  
33 him as hereinbefore provided, where the amount so deposited shall not  
34 exceed five thousand dollars, and on all sums above that amount, to one  
35 per cent. as fees of his office, for the use of the banking department  
36 thereof: *Provided*, that if upon an examination made the Auditor shall find  
37 such association to be insolvent, or shall be satisfied that the interests of  
38 its creditors or stockholders require it, he may proceed to have a receiver

39 appointed as hereinbefore provided, to wind up its affairs and distribute its  
40 assets.

41 The provisions of this section shall also apply to the closing up of the  
42 business of associations whose charter has expired, so far as it can be made  
43 applicable to them.

§ 21. Application of act. The provisions of this act shall apply to all  
2 banks heretofore incorporated under the laws of the State, whether organi-  
3 zed under general or special acts, and so far as they can be made applicable  
4 to all banks or banking associations incorporated under the laws of other  
5 States or countries doing a banking business in this State, and to all persons,  
6 firms or associations who shall receive or advertise by sign or otherwise to  
7 receive deposits, and they shall respectively be subject to the provisions  
8 and requirements of this act as if organized under it.

§ 22. Banking department. For the purpose of carrying the provisions of  
2 this act into effect, there is hereby established a banking department, under  
3 the direction of the Auditor of Public Accounts, which shall be charged  
4 with the execution of the laws relating to banks and banking business  
5 generally, savings banks, building and loan associations, trust or indemnity  
6 companies, and every corporation or association having powers of deposit,  
7 loan or discount, or to assume banking obligations in this State, but not  
8 insurance companies or associations of any character.

9 The Auditor of Public Accounts shall be ex-officio superintendent of said  
10 department (but without additional salary) until such time as the Governor  
11 may appoint a superintendent or during the time such office may become  
12 vacant. It shall be the duty of the Governor, by and with the advice and  
13 consent of the Senate, to appoint a superintendent of the banking depart-  
14 ment, to hold office for four years, and he shall also fill any vacancy for  
15 any unexpired term.

16 Such officer shall, before entering upon his duties, take the oath of office  
17 taken by civil officers, and shall execute a bond to the People of the State



18 of Illinois in the penal sum of ten thousand dollars, with securities to be  
 19 approved by the Governor and Auditor, conditioned to the strict and faith-  
 20 ful performance of his office according to law.

21 He shall receive a salary of \$3,000 per annum and shall be paid such  
 22 actual expenses and outlays as he may have had by reason of examinations  
 23 made personally by him as bank examiner, an itemized account of which  
 24 shall be certified by him to the Auditor of Public Accounts, all to be paid  
 25 out of the bank department fund or other like account of all money re-  
 26 ceived by the department under this act: *Provided*, that no part of the  
 27 salaries or expenses of this department shall be paid by the State. Such  
 28 banking department shall be a part or division of the office of the Auditor  
 29 of Public Accounts, and all reports of said department shall be made to  
 30 the Auditor, who shall incorporate them in proper form in his bi-annual  
 31 report to the General Assembly, together with a list of employes and their  
 32 salaries, and of all moneys received and paid out by such department under  
 33 this act.

34 A seal of office is hereby authorized for said department, to be approved  
 35 by the Auditor, and as many clerks and examiners as may be necessary to  
 36 discharge the duties imposed under this act, within the limits of the re-  
 37 ceipts of the department from all sources.

38 Such superintendent shall not, during the time he holds such office, act  
 39 as an officer or director of any association, or be the owner or part owner  
 40 of any banking business, nor shall he become indebted or obligated to any  
 41 bank or any other organization, or be engaged in the business of sale of  
 42 securities or negotiation of loans, and upon a violation of this provision the  
 43 office shall become vacant.

§ 23. Repeal of former acts.-The acts entitled "An act concerning cor-  
 2 porations with banking powers," approved June 16, 1887,

3 "An act in relation to the election and qualification of directors in banks  
 4 organized under the laws of the State of Illinois," approved May 22, 1889,

5 and "An act to amend sections one (1), six (6) and eleven (11) of an act en-  
 6 titled 'An act concerning corporations with banking powers, approved June  
 7 16, 1887, approved June 3, 1889, are hereby repealed.

§ 24. Submission for ratification. - It shall be the duty of the Secretary of  
 2 State for this State to submit this act to a vote of the people for their rat-  
 3 ification according to Article XI, section 5, of the constitution of this  
 4 State, at the next general election, and the question shall be, "For the act  
 5 in regard to banks and banking, to incorporate, license and regulate the  
 6 same, and to repeal certain acts therein named." "Against the act in re-  
 7 gard to banks and banking, to incorporate, license and regulate the same,  
 8 and to repeal certain acts therein named."

9 And if approved by a majority of the votes cast at such election for or  
 10 against such act, the Governor shall thereupon issue his proclamation that  
 11 this act is then in force.

1. Introduced by Mr. Lehman, March 31, 1891, and ordered to first reading.
2. First reading March 31, 1891, and referred to Committee on Banks and Banking.
3. Reported back with amendments April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act in regard to banks and banking, to incorporate, license and regulate the same and to repeal certain acts therein named.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly.* That on a ratification of this act by a vote of the people in accordance with the constitution of this State, corporations or associations may be formed by any number of natural persons, not less than five, for the purpose of carrying on the business of banking under this act, to buy and sell exchange and do a general business of discount and deposit, to loan money on personal security and to accept trusts: *Provided,* that they shall not have authority to loan on real estate except as hereinafter provided, and shall not be authorized to issue bills to circulate as money.

§ 2. Articles of association shall be signed by such incorporators, which shall specify and certify:

1st. The name assumed, which shall be subject to the approval of the Auditor of Public Accounts.

2d. The location, designating the city, town or village and the county in which such business is to be transacted.

3d. The amount of capital stock and the number of shares into which it is to be divided—shares to be one hundred dollars each.

9 4th. The names and residence of and the number of shares held by  
10 each shareholder, showing that the capital stock is fully subscribed for.

11 5th. The object of the incorporation, showing that the certificate is made  
12 to enable the incorporators to form such association under this act.

13 6th. Period of its duration not to exceed 30 years; which certificate shall  
14 be acknowledged before a notary public and filed at the office of the  
15 Auditor of Public Accounts, who shall then issue his certificate authoriz-  
16 ing said incorporators to proceed with the organization of such association.

§ 3. Authority to organize and to transact business. Upon the receipt of  
2 the Auditor's certificate authorizing them to organize, the incorporators  
3 shall call a meeting of the subscribers to the capital stock of such associa-  
4 tion for that purpose upon not less than a five days' written notice sent  
5 through the mail.

6 At said meeting the shareholders shall elect a board of directors after  
7 determining upon the number of directors to be chosen to manage the  
8 affairs of the association, to consist of not less than five stockholders having  
9 the qualifications defined in this act.

10 The directors elected at said meeting shall serve until the first annual  
11 meeting of the stockholders thereafter or until their successors are elected  
12 and have qualified.

13 When said directors shall have qualified by taking the oath of office and  
14 organized by the election of such officers and employees as may be author-  
15 ized by by-laws to be passed by them, and the capital stock of such associ-  
16 ation shall have been fully paid up and the Auditor notified by the presi-  
17 dent or cashier of such association (statement under oath), the Auditor  
18 shall, after he has satisfied himself of the truth of such statement by an  
19 examination of the affairs of such association, in person or through a duly  
20 authorized examiner, issue his certificate to such association authorizing  
21 them to do a banking business; and upon said certificate being duly re-

22 corded in the office of the recorder of deeds for the county in which  
 23 such association is located, they may proceed to transact such business.

24 § 4. General corporate powers, change of name, consolidation.—The cer-  
 25 tificate of the Auditor, authorizing such corporation to do business, or a  
 26 copy thereof, duly certified by the Auditor, may be used in evidence in all  
 27 courts for or against any such association, and upon filing such certificate  
 28 in the office of the recorder of the county in which said association's princi-  
 29 pal office is located, the persons therein named and their successors shall  
 30 thereupon be duly constituted a body corporate, by the name in such cer-  
 31 tificate mentioned; and by that name shall have succession, may sue and  
 32 be sued, complain and defend in any court of law or equity, and shall be  
 33 vested with all the powers and charged with all the liabilities conferred or  
 34 imposed by this act or any act amendatory thereof, and may make and use  
 35 a common seal.

36 Change of name, etc. Any association doing a banking business under  
 37 this or any prior act may change its name or location within this State in  
 38 the following manner:

39 Whenever the stockholders representing three-fourths of the capital stock  
 40 of such corporation, at a meeting called for that purpose, due notice by  
 41 publication in a newspaper of general circulation published in the city,  
 42 town or village where such bank is located (or if none therein published,  
 43 then within the county) for thirty days prior to such meeting, having been  
 44 given, and each stockholder having been duly served by a like notice  
 45 through the mail, addressed to his last known place of abode, shall decide  
 46 by resolution to change its name or its location, a copy thereof shall be  
 47 recorded in the office of the recorder of the county where said bank is then lo-  
 48 cated and another copy forwarded to the office of the Auditor of Public Accounts,  
 49 who shall first approve such change, and a third copy having been pub-  
 50 lished for thirty days in such newspaper, then such change of name or lo-

28 cation may be effected; but such change shall in no wise affect the debts,  
 29 demands, liabilities, rights, privileges or powers of any such bank in any  
 30 way whatever.

31 Consolidation.—Whenever any bank incorporated under the laws of this  
 32 State shall desire to consolidate with another like corporation, the board of  
 33 directors of each corporation shall call a meeting of the stockholders there-  
 34 of (notice thereof to be given in the same manner as for annual meetings)  
 35 at which meeting the question of such consolidation shall be submitted to  
 36 a vote of the shareholders, to be taken by ballot, and if such proposition  
 37 shall be adopted by a vote of two-thirds of the capital stock of each asso-  
 38 ciation, the directors thereof shall be authorized to consummate the consol-  
 39 idation upon such terms as shall have been agreed on and submitted to  
 40 such vote: *Provided*, that a certificate of such proceedings, verified by the  
 41 affidavit of the president or cashier, and the seal of each association, shall  
 42 first be filed in the office of the Auditor, and a like certificate filed in the  
 43 office of the recorder of deeds of the county or counties in which such  
 44 banks are located, and the Auditor shall be satisfied that all proceedings  
 45 are regular and that the rights and interests of all creditors or stockholders  
 46 of such associations are fully secured and made safe, and for this purpose  
 47 he may provide such additional rules and regulations, and require addi-  
 48 tional reports or make examinations necessary and not inconsistent with  
 49 the provisions of this act, and thereupon he shall issue his certificate of  
 50 authority, which shall be duly recorded, as like certificates are and said  
 51 consolidated association may then proceed to transact a banking business  
 52 as provided in this act.

§ 5. Election and qualification of directors, annual and special meetings.

2 —An annual meeting of the stockholders of associations incorporated  
 3 under the laws of this State shall be held on the first Monday in the  
 4 month of January, for the election of a board of directors of such associa-

tion (unless some other date in said month shall be fixed by its by-laws). Thirty days previous notice of such meeting shall be given to each stockholder of the time, place and object of such meeting, by mailing the same to his address, and also by publication of such notice in some newspaper of general circulation published where such association is located, for the same length of time if any is published at such place, and if not, then in a newspaper published nearest thereto. Notice of any special meeting of stockholders shall be given in like manner.

The board of directors chosen at such meeting shall hold their office for the period of one year or until their successors are duly elected and have qualified by taking an official oath, the form of which shall be prescribed by the Auditor.

Vacancies on such board of directors shall be filled by the remaining members of the board, a two-thirds vote of such members being necessary to elect

The number constituting such board of directors may be increased or decreased by a vote of the shareholders owning a majority of the capital stock of such association at any annual meeting, such vote to be taken by ballot: *Provided*, that such board shall not consist of less than five persons. No person shall be elected as a director, or serve as such, who does not own in his own right and name at least ten shares of the capital stock of such association, unpledged and fully paid up, or who is not a citizen of the United States. At least two-thirds of the directors shall have been residents of this State for the period of one year preceding their election, and shall so continue to reside while acting as directors, and a majority of such board shall be residents and citizens within the county where such association is located.

In all elections of directors, and in deciding all questions at meetings of stockholders, each shareholder shall be entitled to one vote on each share of stock held by him.

35 Shareholders may vote by proxies duly authorized in writing and  
 36 acknowledged before some notary public; but no officer or employe of such  
 37 association shall act as proxy.

38 Every director shall be chosen by a majority of the shares into which  
 39 the capital stock of the association is divided: *Provided*, that each share-  
 40 holder may vote so as to cumulate his shares and thereby give one candi-  
 41 date as many votes as the number of directors multiplied by the number  
 42 of his shares of stock shall equal, or to distribute them on the same princi-  
 43 ple among as many candidates as he shall see fit.

44 Any omission or failure to elect directors shall not impair any of the  
 45 rights and privileges of the association or of any person in any way inter-  
 46 ested, but the existing directors shall hold office until their successors are  
 47 elected and qualified.

§ 6. Corporate powers vested in the board of directors. The corporate  
 2 powers of any such association or company shall be vested in a board of  
 3 directors. A majority of such board shall constitute a quorum to transact  
 4 all business in such board, except as otherwise provided in this act.

5 The board of directors shall elect from their number annually a president  
 6 and vice-president, and appoint a cashier and such other officers or em-  
 7 ployes as their business may require, and they may remove such officers or  
 8 employes at pleasure and elect or appoint others in their place.

9 The board of directors may make, alter or amend such by-laws as they  
 10 think proper for the regulation of the affairs of such association not incon-  
 11 sistent with the provisions of this act: *Provided*, that by-laws shall not be  
 12 altered or amended without a concurrence of a majority of all the directors  
 13 elected.

14 The board of directors shall keep a full record of their proceedings and  
 15 of stockholders' meetings, and there shall also be kept a correct record of  
 16 all stock transfer, including the name and residence of stockholders and



17 amount of stock held by each stockholder, and of all transfers of shares of  
18 stock.

§ 7. Stockholders' liability. --Every stockholder in any bank or banking  
2 association organized under the provisions of this act shall be individually  
3 responsible and liable to its creditors to an amount equal to his respective  
4 shares of stock held by him or her, over and above the amount of stock so  
5 held for all its liabilities accruing while remaining such stockholder.

6 It is hereby made the duty of the president and cashier of any bank,  
7 within thirty days after its organization, to file in the office of the recorder  
8 of deeds of the county in which such bank is located a certified list of all  
9 the original stockholders, giving the number of shares of stock held by  
10 each of them, and thereafter a certificate of all transfers of stock, not later  
11 than ten days after such transfer. No transfer shall operate as a release  
12 of liability herein provided.

§ 8. Classification of banks. Banks or banking associations may be  
2 organized under the provisions of this act in all cities, towns and villages  
3 with a minimum capital stock according to their population as shown by  
4 the preceding United States census as follows:

5 1st. In all cities, towns and villages having a population less than two  
6 thousand, of fifteen thousand dollars.

7 2d. In all cities, towns and villages of two thousand and not exceeding  
8 five thousand population, of twenty-five thousand dollars.

9 3d. In all cities, towns and villages of not exceeding ten thousand (and  
10 over five thousand), of fifty thousand dollars.

11 4th. In all cities, towns and villages of not exceeding fifty thousand  
12 (and over ten thousand), of one hundred thousand dollars.

13 5th. In all cities and towns of fifty thousand or more population, of two  
14 hundred thousand dollars.

§ 9. Increase, decrease and impairment of capital stock.--Should the cap-

2 ital stock of any bank organized under the laws of this State become im-  
 3 paired, the Auditor shall give notice to such bank to have the impairment  
 4 made good by a sufficient assessment of the stockholders thereof or a re-  
 5 duction of its capital stock, if such reduction will not violate the provi-  
 6 sions of section eight of this act, classifying banking capital according to  
 7 population.

8 The Auditor is hereby authorized, should such capital stock remain im-  
 9 paired for thirty days after such notice to enter suit against any stock-  
 10 holders of such bank in the name of the People of the State of Illinois, for  
 11 the use of such bank, in any court of competent jurisdiction, for his or her  
 12 pro rata proportion of such impairments, which, when collected, he shall  
 13 pay over to such bank, and the court in which such recovery made is or  
 14 judgment entered shall include therein all costs and a reasonable attorney's  
 15 fee to be fixed by such court. All losses sustained by any bank so incor-  
 16 porated, which shall exceed its net profits actually collected, shall work as  
 17 a reduction and impairment of its surplus fund and capital stock, and shall  
 18 be deducted first from its surplus fund, and if exceeding it, then from the  
 19 capital stock, and no dividends shall be declared by such bank until such  
 20 surplus fund and capital stock are restored to the legal maximum amounts  
 21 required by this act.

22 Any bank so organized may increase its capital stock by giving notice  
 23 thereof to the Auditor of Public Accounts, accompanied by a sworn copy  
 24 of the proceedings had by the directors and stockholders meetings (special  
 25 or regular) authorizing such increase; but no increase shall be valid until  
 26 the whole amount thereof is paid in and the fact certified under oath to  
 27 the Auditor, who shall then issue his certificate authorizing such increase,  
 28 which shall be recorded as original certificates of incorporation are.

29 Any bank so organized may in like manner reduce its capital stock, pro-  
 30 vided such decrease does not reduce it below the minimum determined by

31 section eight of this act. The vote of two-thirds of the directors and of  
32 shareholders owning two-thirds of its capital stock shall be necessary to do  
33 so, and every shareholder shall have thirty days' notice in writing of the  
34 meeting, whether regular or special, at which the proposition of a reduction  
35 of the capital stock shall be acted upon.

36 The proceedings had for such reduction of capital stock shall be certified  
37 under oath to the Auditor of Public Accounts, who shall, when satisfied  
38 that all proceedings were had in accordance with the law, issue his certifi-  
39 cate authorizing such reduction of capital stock, which certificate shall be  
40 recorded within ten days thereafter as original certificates of incorporation  
41 are.

42 Upon the issuing of such certificate the board of directors of such bank  
43 may proceed to act on such reduction by a reissue of certificates of stock  
44 to stockholders and payment to them of difference of values pro rata, or  
45 the addition of such assets to the bank's surplus fund, or in any other  
46 manner not inconsistent with law or the rights of the respective share-  
47 holders: *Provided*, that the Auditor of Public Accounts may refuse to grant  
48 his certificate authorizing such reduction of capital stock if, on examina-  
49 tion of the affairs of such association, he shall become satisfied that such  
50 reduction may endanger the rights or interests of the creditors of such as-  
51 sociation, or he may withhold such certificate until such association has re-  
52 duced its liabilities as he may direct.

§ 10. Banking Powers. Banking corporations now organized or to be  
2 organized under this act shall have power to carry on the business of  
3 banking by discounting bills, notes and other evidences of debt, or receiving  
4 deposits, buying and selling foreign and other coin and bills of exchange  
5 and loaning money on personal security; but not on real estate except as  
6 hereinafter provided.

7 They may accept and execute trusts, whether fiduciary or otherwise as

8 may be committed to them by persons or corporations, or by the order of any  
 9 court or other legally constituted authority and may act as executor, ad-  
 10 ministrator guardian, assignee, trustee, depository or referee and exercise such  
 11 incidental powers as may be necessary to carry on such business as is herein  
 12 authorized, subject to such regulations as the General Assembly may pre-  
 13 scribe: *Provided*, that until such time as the General Assembly may act the  
 14 Auditor of Public Accounts may prescribe such regulations.

§ 11. Limitations and restrictions as to real estate. It shall be lawful  
 2 for such associations to purchase, hold and convey real estate for the  
 3 following purposes and not otherwise:

4 1st. A banking house, such as may be necessary for its own accommo-  
 5 dation in the transaction of its business, and from a part of which not so  
 6 used, a revenue may be derived.

7 2d. Any real estate mortgaged or conveyed to it as additional  
 8 security for, or in satisfaction of, loans previously made by it on personal  
 9 security, or in trust for another.

10 3d. Any real estate purchased at sales in satisfaction of judgments,  
 11 decrees or mortgages held by such association: *Provided*, that all such real  
 12 estate shall be conveyed to and held by such association in its own name,  
 13 and that all real estate held or acquired by such association, except its  
 14 banking house or such as may be held under specific trust, shall be sold by  
 15 such corporation within five years after acquiring title to the same.

§ 12. Regulation of banking business, cash reserve. Every banking  
 2 association heretofore organized or incorporated under this act shall at all  
 3 times keep on hand an amount of cash equal to at least twenty per centum  
 4 (20) of the aggregate amount of its deposits. Whenever such cash reserve  
 5 shall be below said amount, such association shall not increase its liabilities  
 6 by making new loans or discounts, except sight bills of exchange, nor declare  
 7 or make any dividends until such proportion has been restored: *Provided*,

8 that one-half of said cash reserve may consist of balances due such bank,  
 9 and payable on demand, from banks incorporated under the laws of this  
 10 State or of the United States to be known as "designated depository" to  
 11 be approved, on application of such bank, by the Auditor of Public Accounts,  
 12 and that this proviso shall apply only to banking associations in cities, towns  
 13 or villages having a population of less than 50,000, and in all cities having  
 14 a larger population, clearing house certificates, representing lawful money,  
 15 of any clearing house association shall be deemed as cash on hand if such  
 16 banking association belong to such clearing house, to the limit as aforesaid.

13. Dividends and surplus. The directors of any association may, semi-  
 2 annually in January and July, declare a dividend of so much of the net  
 3 profits of the association, actually collected, as they may deem proper and  
 4 expedient. Such net profits shall be ascertained after deducting therefrom  
 5 all losses, expenses, taxes and bad debts.

6 Bad debts shall consist of such liabilities due to such association as shall  
 7 be past due for one year, unsecured and no interest paid thereon for that  
 8 period: *Provided*, that until a surplus fund equal to twenty-five per centum  
 9 of the capital stock of such association is accumulated and set apart, such  
 10 association shall first carry at least ten per centum of such net profits to  
 11 such fund, and whenever such fund shall by reason of losses sustained fall  
 12 below said twenty-five per cent., then such 10 per cent. or more of net  
 13 profits shall be again first applied to the accumulation of such surplus fund.

14. Prohibitions and limitations. It shall not be lawful for the  
 2 directors, managers or trustees of any banking association now or hereafter  
 3 organized under the laws of this State:

4 1st. To declare dividends except as hereinbefore provided.

5 2d. To divide, withdraw, or in any manner pay to the stockholders any  
 6 part of its capital stock or surplus fund or to reduce such capital, except  
 7 as specifically provided by law.

8 3d. To directly or indirectly discount or receive the note or other evidence  
9 of debt of a stockholder in payment of installments due on stock called in  
10 to be paid, or otherwise to provide such stockholder with the means for  
11 paying such installment.

12 4th. To purchase or directly or indirectly hold shares of its own stock.

13 5th. To receive any shares of its stock as security for any debt due to it;  
14 *Provided, however,* if any of its shares shall be pledged to it to save such  
15 debt and the debt intended to be secured thereby shall not be paid when  
16 due, it shall be the duty of the directors, within sixty days thereafter, to  
17 cause such shares to be sold and the amount received thereon to be cred-  
18 ited on such debt.

19 6th. To receive from any other stock corporation in exchange for its  
20 shares, the shares of stock, notes, bonds or other evidences of debt issued  
21 by such corporation.

22 7th. To make any loans or discounts to the directors, managers or trus-  
23 tees of such banking association or upon paper signed by any of them to an  
24 amount exceeding one-tenth of its capital stock, or to make any loans or  
25 discounts to any person, firm, company or corporation (including endorse-  
26 ments) exceeding at the time of making or renewing it, one-tenth part of the  
27 capital stock and surplus fund of the association; *Provided,* that no secu-  
28 rities taken for such loans or discounts shall thereby be held invalid.

§ 15. Reports and supervision. Every association or incorporation organ-  
2 ized under the laws of this State, and every person, firm or association of  
3 persons, or other corporation doing a banking business in this State (and  
4 for the purposes of this act the receiving or advertising to receive deposits  
5 shall be deemed keeping a bank or doing a banking business), shall make  
6 and transmit to the Auditor of Public Accounts full and accurate state-  
7 ments in such form as he may prescribe at such times as he may call for  
8 the same (not to exceed four times in each year), exhibiting its resources

9 and liabilities at the close of business on some day prior to such call for  
10 the same.

11 Such statements shall be signed and certified under oath by the president  
12 or cashier of any incorporated bank or by the person, or one of the per-  
13 sons, owning such bank, when made by any banking institution not incor-  
14 porated; and such statement shall also be published in some newspaper of  
15 general circulation in the city, town or village where such banking business  
16 is transacted, or if none therein published, then in a newspaper published  
17 at a place nearest thereto, and a copy of such published statements shall  
18 be transmitted by such bank to the Auditor, duly certified by the publisher  
19 in such form as the Auditor may require, within five days after such pub-  
20 lication.

21 Any person, firm, association or corporation doing a banking business in  
22 this State, who shall fail to make and transmit such report (or any special  
23 report required by the Auditor) within five days after receiving call for the  
24 same, shall forfeit the sum of one hundred dollars for each day of delay  
25 thereafter, recoverable by the said Auditor, for the use of the banking  
26 department of his office, in any court of competent jurisdiction, and he may  
27 immediately cause an examination of such bank to be made as hereinafter  
28 provided: *Provided*, that whenever in the opinion of the Auditor it may be  
29 justifiable or for the interest of the depositors or other creditors or stock-  
30 holders of any bank or banking business to call for a special report, he may  
31 call for the same in the manner hereinbefore stated, except that the publi-  
32 cation of such report shall be at his discretion, and should he deem it then  
33 necessary he may order an examination of such bank as hereinafter  
34 provided.

35 In addition to the reports herein required a "dividend and earnings" re-  
36 port shall be made to the Auditor in such form as he may require, semi-  
37 annually in January and July, such report to be under oath as other  
38 reports are.

§ 16. Licenses.-- Every person, firm or ~~association~~ or corporation not in  
 2 incorporated under the laws of this State, doing a banking business by re-  
 3 ceiving, or by sign or other notice, or form of advertisement, offering to  
 4 receive deposits in this State, shall, within thirty days after this act takes  
 5 effect, file a written application for a license to transact such business at  
 6 the office of the Auditor of Public Accounts.

7 Such application shall give the title, corporate, true firm, or other name  
 8 of such banking business, where located, the amount of capital invested, of  
 9 what it consists, and its liabilities and resources, also such other informa-  
 10 tion and in such form as the Auditor shall require, to be sworn to by the  
 11 officer authorized by such association or corporation to transact its business,  
 12 or by one of the owners of such banking business.

13 Every person, firm, association or corporation thereafter opening or doing  
 14 such banking business shall, before it receives deposits, make a like appli-  
 15 cation for a license. All licenses shall be recorded in the office of the re-  
 16 corder of deeds of the county where said business is transacted.

17 The Auditor of Public Accounts shall thereupon issue a license to such  
 18 bank to transact such business, which license shall continue in force as to  
 19 the person, firm, association or corporation therein named until the same is  
 20 surrendered, revoked, annulled, or made void according to law: *Provided,*  
 21 that the Auditor shall first satisfy himself of the truth of the statements  
 22 contained in such application in the manner provided in section seventeen  
 23 of this act, relating to the examination of banking institutions; and that  
 24 the application is made in good faith by reputable and responsible persons.

25 Whenever any change occurs in the ownership of such bank by the death  
 26 or withdrawal of any person interested, dissolution, sale or by impairment of  
 27 capital invested or of net assets or otherwise, such license shall become  
 28 void, and it shall be the duty of the Auditor to send a notice thereof to  
 29 the recorder of deeds of the county in which such banking business is



transacted, who shall so endorse the record of such license by recording said notice across its face.

All applications for licenses shall be accompanied by a fee of ..... dollars, which unless the application be refused, in which case the fee shall be refunded shall be placed to the credit of the bank department fund of the Auditor's office.

It shall be the duty of all persons, firms, associations or corporations doing such banking business to immediately notify the Auditor of such change or partial change of ownership, under penalties hereinafter provided.

§ 17. Examination of banks and banking business.—The Auditor of Public Accounts may through the superintendent of the banking department or an examiner appointed by him, visit and examine every banking business in the State, whether incorporated or not, at least once in each year, and at such other times as may be made necessary by the condition of such banking business.

The person so examining such banking business shall have power to inspect all books, papers and assets of the same, and shall be authorized to administer oaths and compel the attendance of any person whose testimony may be required to make such examination thorough and complete, and the attendance of such persons and production of papers may be compelled by summons, subpoena or attachment in the manner now authorized in regard to the attendance of persons as witnesses in the courts of record in this State.

The expenses of examination of any banking business or incorporated bank shall be paid by such business or bank, and to defray such expense the following schedule of fees is hereby fixed for regular or annual examinations:

For examining a bank having a capital stock of \$25,000 or less, \$15; over \$25,000 and to \$50,000 inclusive, \$20; over \$50,000 and to \$100,000 inclusive,

21 \$25; over \$100,000 and to \$200,000 inclusive, \$30; over \$200,000 and to \$300,000  
 22 inclusive, \$40; over \$300,000 and to \$400,000 inclusive, \$50; over \$400,000 and  
 23 to \$500,000 inclusive, \$60; all over \$500,000 capital, \$75.

24 For examining a bank or banking business (having no capital stock)  
 25 shown by such examination to have less than \$50,000 deposits, \$15; over that  
 26 amount and less than \$100,000 deposits, \$20; over \$100,000 and less than  
 27 \$200,000 deposits, \$25; over \$200,000 and less than \$300,000 deposits, \$30; over  
 28 \$300,000 and less than \$400,000 deposits, \$35; over \$400,000 and less than  
 29 \$500,000 deposits, \$40; over \$500,000 and less than \$750,000 deposits, \$50; over  
 30 \$750,000 and less than \$1,000,000 deposits, \$60; all over \$1,000,000, \$75; which  
 31 fee shall be in lieu of all other compensation and mileage: *Provided*, that  
 32 in all other or special examinations, an additional charge of five cents per  
 33 mile each way, computed by the most direct line of railway from the State  
 34 capital, may be made and collected, but no examiner shall examine more  
 35 than one bank on any one day.

36 No persons shall act as examiner of any bank or banking business who is  
 37 actively engaged in banking business as an officer, employee, owner or part-  
 38 ner therein, nor shall any examiner examine the affairs of any bank of  
 39 which he is a stockholder.

40 No bank or banking business shall be subject to any visitatorial powers  
 41 other than herein authorized, except such as are vested in the courts.

§ 18. Penalties for violation of act, false certification, or assumption of  
 2 name, firm or title. Any person, firm, association or corporation doing a  
 3 banking business in this State without first obtaining a license or a certi-  
 4 ficate of incorporation, giving authority to transact such business, or who  
 5 shall fail to make reports, submit to examinations, or shall in any manner fail  
 6 or refuse to comply with, or shall otherwise violate the provisions of this act so  
 7 far as it may apply to or govern such person, firm, association or corporation, shall

8 upon conviction thereof, in any court of competent jurisdiction, upon a  
9 complaint filed by the Auditor of Public Accounts in the name of the  
10 People of the State of Illinois, be fined in a sum of not less than \$100 or  
11 more than \$1,000 for each day such violation or evasion shall continue.

12 Whoever shall falsely assume a firm partnership or corporate banking  
13 name, or shall by sign or other mode of advertisement falsely assume or  
14 announce that any person engaged in such banking business with him, or  
15 shall in such case use the word "Company" or "Co." when no partnership exists,  
16 to transact such business, shall upon conviction thereof, in any court of  
17 competent jurisdiction, be fined not less than one hundred dollars (\$100)  
18 nor more than one thousand dollars (\$1,000), or imprisoned in the county  
19 jail not less than sixty days or more than one year or both in the discretion  
20 of the court, upon a complaint filed by any citizen or the State's attorney  
21 to be prosecuted by him in the name of the People of the State of Illinois.

22 Any officer, owner, clerk or agent of any bank or banking firm or business  
23 who shall certify any check or draft drawn upon such bank or banking firm  
24 or business to be good, when the person, company or corporation drawing  
25 such check or draft has not on deposit therein an amount equal to the  
26 amount stated in the same, shall on conviction thereof, in any court of  
27 competent jurisdiction, on complaint filed by any citizen or by the State's  
28 attorney of the county to be prosecuted by him in the name of the People  
29 of the State of Illinois, be fined in any sum not less than one hundred  
30 dollars or more than one thousand dollars, and to imprisonment in the  
31 county jail not exceeding one year, at the discretion of the court.

32 Any check so certified by any authorized person or officer shall be a good  
33 and valid obligation against such bank, banking firm or business.

34 Every director of an incorporated bank who shall violate or be concerned  
35 in violating any of the provisions of this act shall be personally liable to  
36 the creditors and stockholders respectively of the corporation of which he

37 is a director, to the full extent of any loss which they, or either, may sus-  
 38 tain by reason of such violation.

§ 19. Power to appoint receiver and to wind up banking corporation and  
 2 withdraw license from persons, firms or corporations doing a banking  
 3 business. Whenever the Auditor of Public Accounts shall become satisfied  
 4 that the capital stock of any incorporated bank or the net assets of any  
 5 person, firm or association doing a banking business as defined by this act,  
 6 shall be impaired or reduced and shall so remain impaired or reduced for  
 7 thirty days, except as provided for in this act, or that such bank or bank-  
 8 ing business is managed in violation of any of the provisions of this act,  
 9 he may file a bill in chancery in the circuit court of the proper county  
 10 against such bank or person, firm or association owning or managing such  
 11 banking business, in the name of the People of the State of Illinois, praying  
 12 for the appointment of a receiver to liquidate and wind up its affairs.

13 The court or a judge thereof in vacation shall, when satisfied that  
 14 sufficient cause is shown, appoint some suitable and disinterested person  
 15 and fix his bond as such receiver.

16 Such receiver upon the acceptance of his bond and security by the court,  
 17 or judge, shall then proceed under the direction of said court to promptly  
 18 execute his trust.

§ 20. Voluntary liquidation of the affairs of banks and banking busi-  
 2 ness.—Any association incorporated under the laws of this State may enter  
 3 into voluntary liquidation to close up its business before the expiration of  
 4 its charter, upon a vote (taken by ballot) of its shareholders representing  
 5 two-thirds of its capital stock at any regular or special meetings of the  
 6 stockholders thereof (notice thereof to be given in the same manner as for  
 7 annual meetings of stockholders).

8 The resolution so submitted and adopted shall be certified to the Auditor  
 9 and a copy thereof published in a newspaper of general circulation, pub-

10 lished in the place where such bank is located, and if none is there pub-  
11 lished, then in a newspaper nearest thereto, and a copy of such publication  
12 certified under oath by the publisher forwarded by said bank to the Audi-  
13 tor, who shall after examination thereof and being satisfied that such bank  
14 is solvent issue his certificate, authorizing it to close its business.

15 The directors or officers acting under their authority may thereupon pro-  
16 ceed to close up the business of such association, but they shall not receive  
17 deposits or create any new liabilities thereafter.

18 If after a period of six months has elapsed from the date of the certificate  
19 of the Auditor authorizing such bank to close its business, the said associa-  
20 tion shall not have liquidated its liabilities and distributed its remaining  
21 assets to its stockholders, and resigned or surrendered its charter, then  
22 the Auditor shall require said bank to deposit a sum sufficient to pay all  
23 outstanding liabilities as may be shown by an examination of such bank  
24 then to be made, and shall give public notice for four weeks in the same  
25 manner as is required for the publication of resolution to close up business,  
26 that all notes, or other liabilities, of such association will be redeemed by  
27 him. Any balance of said deposit remaining in his hands after a period of  
28 five years from the date of said notice shall be distributed by him, with  
29 such interest thereon as may have been accumulated, to the stockholders  
30 of such bank. Such deposit may be made in some bank designated by the  
31 Auditor, to be under his direction and subject to his order.

32 The Auditor shall be entitled to two per cent. of all money paid out by  
33 him as hereinbefore provided, where the amount so deposited shall not  
34 exceed five thousand dollars, and on all sums above that amount, to one  
35 per cent. as fees of his office, for the use of the banking department  
36 thereof: *Provided*, that if upon an examination made the Auditor shall find  
37 such association to be insolvent, or shall be satisfied that the interests of  
38 its creditors or stockholders require it, he may proceed to have a receiver

39 appointed as hereinbefore provided, to wind up its affairs and distribute its  
40 assets.

41 The provisions of this section shall also apply to the closing up of the  
42 business of associations whose charter has expired, so far as it can be made  
43 applicable to them.

§ 21. Application of act. The provisions of this act shall apply to all  
2 banks heretofore incorporated under the laws of the State, whether organi-  
3 zed under general or special acts, and so far as they can be made applicable  
4 to all banks or banking associations incorporated under the laws of other  
5 States or countries doing a banking business in this State, and to all persons,  
6 firms or associations who shall receive or advertise by sign or otherwise to  
7 receive deposits, and they shall respectively be subject to the provisions  
8 and requirements of this act as if organized under it.

§ 22. Banking department. For the purpose of carrying the provisions of  
2 this act into effect, there is hereby established a banking department, under  
3 the direction of the Auditor of Public Accounts, which shall be charged  
4 with the execution of the laws relating to banks and banking business  
5 generally, savings banks, building and loan associations, trust or indemnity  
6 companies, and every corporation or association having powers of deposit,  
7 loan or discount, or to assume banking obligations in this State, but not  
8 insurance companies or associations of any character.

9 The Auditor of Public Accounts shall be ex-officio superintendent of said  
10 department (but without additional salary) until such time as the Governor  
11 may appoint a superintendent or during the time such office may become  
12 vacant. It shall be the duty of the Governor, by and with the advice and  
13 consent of the Senate, to appoint a superintendent of the banking depart-  
14 ment, to hold office for four years, and he shall also fill any vacancy for  
15 any unexpired term.

16 Such officer shall, before entering upon his duties, take the oath of office  
 17 taken by civil officers, and shall execute a bond to the People of the State  
 18 of Illinois in the penal sum of ten thousand dollars, with securities to be  
 19 approved by the Governor and Auditor, conditioned to the strict and faith-  
 20 ful performance of his office according to law.

21 He shall receive a salary of \$3,000 per annum and shall be paid such  
 22 actual expenses and outlays as he may have had by reason of examinations  
 23 made personally by him as bank examiner, an itemized account of which  
 24 shall be certified by him to the Auditor of Public Accounts, all to be paid  
 25 out of the bank department fund or other like account of all money re-  
 26 ceived by the department under this act: *Provided*, that no part of the  
 27 salaries or expenses of this department shall be paid by the State. Such  
 28 banking department shall be a part or division of the office of the Auditor  
 29 of Public Accounts, and all reports of said department shall be made to  
 30 the Auditor, who shall incorporate them in proper form in his biennial  
 31 report to the General Assembly, together with a list of employes and their  
 32 salaries, and of all moneys received and paid out by such department under  
 33 this act.

34 A seal of office is hereby authorized for said department, to be approved  
 35 by the Auditor, and as many clerks and examiners as may be necessary to  
 36 discharge the duties imposed under this act, within the limits of the re-  
 37 ceipts of the department from all sources.

38 Such superintendent shall not, during the time he holds such office, act  
 39 as an officer or director of any association, or be the owner or part owner  
 40 of any banking business, nor shall he become indebted or obligated to any  
 41 bank or any other organization, or be engaged in the business of sale of  
 42 securities or negotiation of loans, and upon a violation of this provision the  
 43 office shall become vacant.

§ 23. Repeal of former acts.—The acts entitled "An act concerning cor-

porations with banking powers," approved June 16, 1887, "An act in relation to the election and qualification of directors in banks organized under the laws of the State of Illinois," approved May 22, 1889, and "An act to amend sections one (1), six (6) and eleven (11) of an act entitled "An act concerning corporations with banking powers," approved June 16, 1887, approved June 3, 1889, are hereby repealed.

§ 24. Submission for ratification.— It shall be the duty of the Secretary of State for this State to submit this act to a vote of the people for their ratification according to Article XI, section 5, of the constitution of this State, at the next general election, and the question shall be, "For the act in regard to banks and banking, to incorporate, license and regulate the same, and to repeal certain acts therein named," "Against the act in regard to banks and banking, to incorporate, license and regulate the same and to repeal certain acts therein named."

And if approved by a majority of the votes cast at such election for or against such act, the Governor shall thereupon issue his proclamation that this act is then in force.

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#### COMMITTEE AMENDMENTS TO SENATE BILL No. 271. PRINTED BILL.

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Amend said bill, as follows:

Sec. 4.—Add to the section, at end of line 30, the following: "*Provided, that such change of location be in conformity with the provisions of section 8 of this act.*"

Sec. 8. —In line 6 strike out the word "fifteen" and insert "ten."



Sec. 8. In line 5 strike out the word "two" and insert "one."

Sec. 8. In line 7 strike out the word "two" and insert "one."

Sec. 8. In line 12 strike out the words "one hundred" and insert "seventy-five."

Sec. 8. In lines 13 and 14 strike out "two hundred thousand dollars" and insert "one hundred and fifty thousand dollars."

Sec. 9. In line 20 strike out the word "maximum" and insert "minimum."

Sec. 10.—In line 3 strike out the word "or."

Sec. 10. In lines 5 and 6 strike out the words "but not on real estate, except as hereinafter provided," and insert in lieu thereof the following: "and on real estate mortgages or trust deeds on lands in this State, but not more than one-half of the total amount of its capital stock and surplus shall be loaned on real estate security, and not to exceed on more than fifty per cent. of the fair cash value of such real estate."

Sec. 12. Strike out all of this section and substitute the following in place thereof.

Section 12. Cash reserve. Every incorporated association doing a banking business in this State shall at all times keep on hand an amount of cash as follows:

1st. In cities containing over fifty thousand inhabitants twenty-five per cent. of its total deposits.

2d. In cities, towns or villages containing less than fifty thousand inhabitants, fifteen per cent. of its total deposits, one-third of which fifteen per cent. may consist of balances due such bank, and payable on demand, from banks incorporated under the laws of this State or of the United States, to be known as "designated depository" to be approved, on application of such bank, by the Auditor of Public Accounts. Whenever such cash reserve shall be below said amount, such associations shall not increase

13 Its loans or discounts, except sight bills of exchange, nor declare or make  
14 any dividends until such proportion has been restored.

Sec. 14.--In lines 25 and 26 strike out the words "including endorsements," and add to clause 7th, at line 28, the following words: *And provided further,* that the discount of bills of exchange drawn in good faith, against actually existing values, and the discount of commercial or business paper actually owned by the person, firm, company or corporation negotiating the same, shall not be considered as prohibited by this section."

Sec. 16.- In line 32 in blank space insert the word "five."

Sec. 18.--In line 14 insert after the word "person" the word "is."

Sec. 18. Insert in line 34 after the word "bank," "or a corporation doing a banking business."

Sec. 20. In line 2 strike out the words "Any association incorporated under the laws of this State," and insert in lieu thereof the following: "Any incorporated association doing a banking business in this State."

Sec. 15. In lines 2 and 3 strike out the words "and every person, firm or association of persons."

Sec. 15. In lines 3 to 5 strike out all the words in parenthesis from "and" to "business," inclusive.

Sec. 15. In lines 12 to 14 strike out the following words, "or by the person, or one of the persons, owning such bank, when made by any banking institution not incorporated."

Sec. 15. In line 21 strike out the words "person, firm, association or."

Sec. 15. Add at the end of this section the following words: "*Provided,* that persons, firms or associations of persons doing a banking business in this State shall make a semi-annual detailed statement of their assets and liabilities (in form approximating as near as may be statements made by incorporated banks) between the first and tenth day of January and July in each year. Such statements shall be made under oath by the person owning such bank,

or one of the persons constituting such firm or association, or by the manager or cashier thereof, and shall be published in some newspaper of general circulation published where said business is transacted, or at a place nearest thereto if none is there published. Any person making a false statement under oath, under the provisions of this act shall be deemed guilty of perjury and shall, on conviction thereof, be punished accordingly."

Sec. 16. In line 1 strike out the words "person, firm or."

Sec. 16. In line 7 strike out the word "true firm."

Sec. 16. Strike out all of line 12.

Sec. 16. In line 13 strike out the words "person, firm."

Sec. 16. In line 19 strike out the words "person, firm."

Sec. 16. In lines 23 and 24 strike out all after the word "institutions."

Sec. 16. In lines 25 and 26 strike out all after the words "in" in line 25 to and including the words "sale or" in line 26.

Sec. 16. In line 36 strike out the words "persons, firms."

Sec. 16. In line 38 strike out the words "or partial change of ownership."

Sec. 17. In lines 3 and 4 strike out the words "every banking business in this State, whether incorporated or not," and insert in lieu thereof "every corporation doing a banking business in this State."

Sec. 17. In line 15 strike out the words "banking business or."

Sec. 17. In line 16 strike out the words "business or."

Sec. 17. Strike out all of lines 24, 25, 26, 27, 28, 29 and all of 30 except the word "which."

Sec. 18. In line 2 strike out the words "person, firm."

Sec. 18. In line 7 strike out the words "person, firm."

Sec. 19. In line 2 strike out the words "persons, firms or."

Sec. 19.—In lines 4 and 5 strike out the words "or the net assets of any person, firm."

Sec. 19.—In lines 10 and 11 strike out the words "or person, firm or association owning or managing such banking business."

Sec. 21.—In lines 5, 6 and 7 strike out the words "and to all persons, firms or associations who shall receive or advertise by sign or otherwise to receive deposits."

1. Introduced by Mr. Lehman, March 31, 1891, and ordered to first reading.
2. First reading March 31, 1891, and referred to Committee on Banks and Banking.
3. Reported back with amendments April 17, 1891, passage recommended and ordered to second reading.
4. Second reading May 7, 1891, amended, and ordered to a third reading.

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## A BILL

For an act in regard to banks and banking, to incorporate, license and regulate the same and to repeal certain acts therein named.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That on a ratification of this act by a vote of the people in accordance with the constitution of this State, corporations or associations may be formed by any number of natural persons, not less than five, for the purpose of carrying on the business of banking under this act, to buy and sell exchange and do a general business of discount and deposit, to loan money on personal security and to accept trusts: *Provided*, that they shall not have authority to loan on real estate except as hereinafter provided, and shall not be authorized to issue bills to circulate as money.

§ 2. Articles of association shall be signed by such incorporators, which shall specify and certify:

1st. The name assumed, which shall be subject to the approval of the Auditor of Public Accounts.

2d. The location, designating the city, town or village and the county in which such business is to be transacted.

3d. The amount of capital stock and the number of shares into which it is to be divided—shares to be one hundred dollars each,

9 4th. The names and residence of and the number of shares held by  
10 each shareholder, showing that the capital stock is fully subscribed for.

11 5th. The object of the incorporation, showing that the certificate is made  
12 to enable the incorporators to form such association under this act.

13 6th. Period of its duration not to exceed 30 years; which certificate shall  
14 be acknowledged before a notary public and filed at the office of the  
15 Auditor of Public Accounts, who shall then issue his certificate authoriz-  
16 ing said incorporators to proceed with the organization of such association.

§ 3. Authority to organize and to transact business. Upon the receipt of  
2 the Auditor's certificate authorizing them to organize, the incorporators  
3 shall call a meeting of the subscribers to the capital stock of such associa-  
4 tion for that purpose (upon not less than a five days' written notice sent  
5 through the mail).

6 At said meeting the shareholders shall elect a board of directors after  
7 determining upon the number of directors to be chosen to manage the  
8 affairs of the association, to consist of not less than five stockholders having  
9 the qualifications defined in this act.

10 The directors elected at said meeting shall serve until the first annual  
11 meeting of the stockholders thereafter or until their successors are elected  
12 and have qualified.

13 When said directors shall have qualified by taking the oath of office and  
14 organized by the election of such officers and employees as may be author-  
15 ized by by-laws to be passed by them, and the capital stock of such associ-  
16 ation shall have been fully paid up and the Auditor notified by the presi-  
17 dent or cashier of such association (statement under oath), the Auditor  
18 shall, after he has satisfied himself of the truth of such statement by an  
19 examination of the affairs of such association, in person or through a duly  
20 authorized examiner, issue his certificate to such association authorizing  
21 them to do a banking business; and upon said certificate being duly re-

22 corded in the office of the recorder of deeds for the county in which  
23 such association is located, they may proceed to transact such business.

§ 4. General corporate powers, change of name, consolidation. The cer-  
2 tificate of the Auditor, authorizing such corporation to do business, or a  
3 copy thereof, duly certified by the Auditor, may be used in evidence in all  
4 courts for or against any such association, and upon filing such certificate  
5 in the office of the recorder of the county in which said association's princ-  
6 pal office is located, the persons therein named and their successors shall  
7 thereupon be duly constituted a body corporate, by the name in such cer-  
8 tificate mentioned; and by that name shall have succession, may sue and  
9 be sued, complain and defend in any court of law or equity, and shall be  
10 vested with all the powers and charged with all the liabilities conferred or  
11 imposed by this act or any act amendatory thereof, and may make and use  
12 a common seal.

13 Change of name, etc. Any association doing a banking business under  
14 this or any prior act may change its name or location within this State in  
15 the following manner:

16 Whenever the stockholders representing three-fourths of the capital stock  
17 of such corporation, at a meeting called for that purpose, due notice by  
18 publication in a newspaper of general circulation published in the city,  
19 town or village where such bank is located (or if none therein published,  
20 then within the county) for thirty days prior to such meeting, having been  
21 given, and each stockholder having been duly served by a like notice  
22 through the mail, addressed to his last known place of abode, shall decide  
23 by resolution to change its name or its location, a copy thereof shall be  
24 recorded in the office of the recorder of the county where said bank is then lo-  
25 cated and another copy forwarded to the office of the Auditor of Public Accounts,  
26 who shall first approve such change, and a third copy having been pub-  
27 lished for thirty days in such newspaper, then such change of name or lo-

28 cation may be effected; but such change shall in no wise affect the debts,  
 29 demands, liabilities, rights, privileges or powers of any such bank in any  
 30 way whatever: *Provided*, that such change of location be in conformity  
 31 with the provisions of section 8 of this act.

32 Consolidation.—Whenever any bank incorporated under the laws of this  
 33 State shall desire to consolidate with another like corporation, the board of  
 34 directors of each corporation shall call a meeting of the stockholders there  
 35 of (notice thereof to be given in the same manner as for annual meetings)  
 36 at which meeting the question of such consolidation shall be submitted to  
 37 a vote of the shareholders, to be taken by ballot, and if such proposition  
 38 shall be adopted by a vote of two-thirds of the capital stock of each asso-  
 39 ciation, the directors thereof shall be authorized to consummate the consol-  
 40 idation upon such terms as shall have been agreed on and submitted to  
 41 such vote: *Provided*, that a certificate of such proceedings, verified by the  
 42 affidavit of the president or cashier, and the seal of each association, shall  
 43 first be filed in the office of the Auditor and a like certificate filed in the  
 44 office of the recorder of deeds of the county or counties in which such  
 45 banks are located, and the Auditor shall be satisfied that all proceedings  
 46 are regular and that the rights and interests of all creditors or stockholders  
 47 of such associations are fully secured and made safe, and for this purpose  
 48 he may provide such additional rules and regulations, and require addi-  
 49 tional reports or make examinations necessary and not inconsistent with  
 50 the provisions of this act, and thereupon he shall issue his certificate of  
 51 authority, which shall be duly recorded as like certificates are and said  
 52 consolidated association may then proceed to transact a banking business  
 53 as provided in this act.

§ 5. Election and qualification of directors, annual and special meetings.

2 —An annual meeting of the stockholders of associations incorporated  
 3 under the laws of this State shall be held on the first Monday in the  
 4 month of January, for the election of a board of directors of such associa-



tion (unless some other date in said month shall be fixed by its by-laws). Thirty days previous notice of such meeting shall be given to each stockholder of the time, place and object of such meeting, by mailing the same to his address, and also by publication of such notice in some newspaper of general circulation published where such association is located, for the same length of time if any is published at such place, and if not, then in a newspaper published nearest thereto. Notice of any special meeting of stockholders shall be given in like manner.

The board of directors chosen at such meeting shall hold their office for the period of one year or until their successors are duly elected and have qualified by taking an official oath, the form of which shall be prescribed by the Auditor.

Vacancies on such board of directors shall be filled by the remaining members of the board, a two-thirds vote of such members being necessary to elect.

The number constituting such board of directors may be increased or decreased by a vote of the shareholders owning a majority of the capital stock of such association at any annual meeting, such vote to be taken by ballot; *Provided*, that such board shall not consist of less than five persons. No person shall be elected as a director, or serve as such, who does not own in his own right and name at least ten shares of the capital stock of such association, unpledged and fully paid up, or who is not a citizen of the United States. At least two-thirds of the directors shall have been residents of this State for the period of one year preceding their election, and shall so continue to reside while acting as directors, and a majority of such board shall be residents and citizens within the county where such association is located.

In all elections of directors, and in deciding all questions at meetings of stockholders, each shareholder shall be entitled to one vote on each share of stock held by him.

35 Shareholders may vote by proxies duly authorized in writing and  
 36 acknowledged before some notary public; but no officer or employee of such  
 37 association shall act as proxy.

38 Every director shall be chosen by a majority of the shares into which  
 39 the capital stock of the association is divided: *Provided*, that each share-  
 40 holder may vote so as to cumulate his shares and thereby give one candi-  
 41 date as many votes as the number of directors multiplied by the number  
 42 of his shares of stock shall equal, or to distribute them on the same princi-  
 43 ple among as many candidates as he shall see fit.

44 Any omission or failure to elect directors shall not impair any of the  
 45 rights and privileges of the association or of any person in any way inter-  
 46 ested, but the existing directors shall hold office until their successors are  
 47 elected and qualified.

§ 6. Corporate powers vested in the board of directors. The corporate  
 2 powers of any such association or company shall be vested in a board of  
 3 directors. A majority of such board shall constitute a quorum to transact  
 4 all business in such board, except as otherwise provided in this act.

5 The board of directors shall elect from their number annually a president  
 6 and vice-president, and appoint a cashier and such other officers or em-  
 7 ployes as their business may require, and they may remove such officers or  
 8 employees at pleasure and elect or appoint others in their place.

9 The board of directors may make, alter or amend such by-laws as they  
 10 think proper for the regulation of the affairs of such association not incon-  
 11 sistent with the provisions of this act: *Provided*, that by-laws shall not be  
 12 altered or amended without a concurrence of a majority of all the directors  
 13 elected.

14 The board of directors shall keep a full record of their proceedings and  
 15 of stockholders' meetings, and there shall also be kept a correct record of  
 16 all stock transfer, including the name and residence of stockholders and

17 amount of stock held by each stockholder, and of all transfers of shares of  
18 stock.

§ 7. Stockholders' liability. Every stockholder in any bank or banking  
2 association organized under the provisions of this act shall be individually  
3 responsible and liable to its creditors to an amount equal to his respective  
4 shares of stock held by him or her, over and above the amount of stock so  
5 held for all its liabilities accruing while remaining such stockholder.

6 It is hereby made the duty of the president and cashier of any bank,  
7 within thirty days after its organization, to file in the office of the recorder  
8 of deeds of the county in which such bank is located a certified list of all  
9 the original stockholders, giving the number of shares of stock held by  
10 each of them, and thereafter a certificate of all transfers of stock, not later  
11 than ten days after such transfer. No transfer shall operate as a release  
12 of liability herein provided.

§ 8. Classification of banks. Banks or banking associations may be  
2 organized under the provisions of this act in all cities, towns and villages  
3 with a minimum capital stock according to their population as shown by  
4 the preceding United States census as follows:

5 1st. In all cities, towns and villages having a population not less than one  
6 thousand, of ten thousand dollars.

7 2d. In all cities, towns and villages of one thousand and not exceeding  
8 five thousand population, of twenty-five thousand dollars.

9 3d. In all cities, towns and villages of not exceeding ten thousand (and  
10 over five thousand), of fifty thousand dollars.

11 4th. In all cities, towns and villages of not exceeding fifty thousand  
12 (and over ten thousand), of seventy-five thousand dollars.

13 5th. In all cities and towns of fifty thousand or more population, of one  
14 hundred and fifty thousand dollars.

§ 9. Increase, decrease and impairment of capital stock.—Should the cap-

2 ital stock of any bank organized under the laws of this State become im-  
3 paired, the Auditor shall give notice to such bank to have the impairment  
4 made good by a sufficient assessment of the stockholders thereof or a re-  
5 duction of its capital stock, if such reduction will not violate the provi-  
6 sions of section eight of this act, classifying banking capital according to  
7 population.

8 The Auditor is hereby authorized, should such capital stock remain im-  
9 paired for thirty days after such notice, to enter suit against any stock-  
10 holders of such bank in the name of the People of the State of Illinois, for  
11 the use of such bank, in any court of competent jurisdiction, for his or her  
12 pro rata proportion of such impairments, which, when collected, he shall  
13 pay over to such bank, and the court in which such recovery is made or  
14 judgment entered shall include therein all costs and a reasonable attorney's  
15 fee to be fixed by such court. All losses sustained by any bank so incor-  
16 porated, which shall exceed its net profits actually collected, shall work as  
17 a reduction and impairment of its surplus fund and capital stock, and shall  
18 be deducted first from its surplus fund and if exceeding it, then from the  
19 capital stock, and no dividends shall be declared by such bank until such  
20 surplus fund and capital stock are restored to the legal maximum amounts  
21 required by this act.

22 Any bank so organized may increase its capital stock by giving notice  
23 thereof to the Auditor of Public Accounts, accompanied by a sworn copy  
24 of the proceedings had by the directors and stockholders meetings (special  
25 or regular) authorizing such increase; but no increase shall be valid until  
26 the whole amount thereof is paid in and the fact certified under oath to  
27 the Auditor, who shall then issue his certificate authorizing such increase,  
28 which shall be recorded as original certificates of incorporation are.

29 Any bank so organized may in like manner reduce its capital stock, pro-  
30 vided such decrease does not reduce it below the minimum determined by

31 section eight of this act. The vote of two-thirds of the directors and of  
 32 shareholders owning two thirds of its capital stock shall be necessary to do  
 33 so, and every shareholder shall have thirty days' notice in writing of the  
 34 meeting, whether regular or special, at which the proposition of a reduction  
 35 of the capital stock shall be acted upon.

36 The proceedings had for such reduction of capital stock shall be certified  
 37 under oath to the Auditor of Public Accounts, who shall, when satisfied  
 38 that all proceedings were had in accordance with the law, issue his certifi-  
 39 cate authorizing such reduction of capital stock, which certificate shall be  
 40 recorded within ten days thereafter as original certificates of incorporation  
 41 are.

42 Upon the issuing of such certificate the board of directors of such bank  
 43 may proceed to act on such reduction by a reissue of certificates of stock  
 44 to stockholders and payment to them of difference of values pro rata, or  
 45 the addition of such assets to the bank's surplus fund, or in any other  
 46 manner not inconsistent with law or the rights of the respective share-  
 47 holders: *Provided*, that the Auditor of Public Accounts may refuse to grant  
 48 his certificate authorizing such reduction of capital stock if, on examina-  
 49 tion of the affairs of such association, he shall become satisfied that such  
 50 reduction may endanger the rights or interests of the creditors of such as-  
 51 sociation, or he may withhold such certificate until such association has re-  
 52 duced its liabilities as he may direct.

§ 10. Banking Powers. Banking corporations now organized or to be  
 2 organized under this act shall have power to carry on the business of  
 3 banking by discounting bills, notes and other evidences of debt, receiving  
 4 deposits, buying and selling foreign and other coin and bills of exchange  
 5 and loaning money on personal security, and on real estate mortgages  
 6 or trust deeds on lands in this State, but not more than one-half of the  
 7 total amount of its capital stock and surplus shall be loaned on real estate

8 security, and not to exceed on more than fifty per cent. of the fair cash  
9 value of such real estate.

10 They may accept and execute trusts, whether fiduciary or otherwise, as  
11 may be committed to them by persons or corporations, or by the order of any  
12 court or other legally constituted authority and may act as executor, ad-  
13 ministrator, guardian, assignee, trustee, depository or referee and exercise such  
14 incidental powers as may be necessary to carry on such business as is herein  
15 authorized, subject to such regulations as the General Assembly may pre-  
16 scribe: *Provided*, that until such time as the General Assembly may act the  
17 Auditor of Public Accounts may prescribe such regulations.

§ 11. Limitations and restrictions as to real estate. It shall be lawful  
2 for such associations to purchase, hold and convey real estate for the  
3 following purposes and not otherwise:

4 1st. A banking house, such as may be necessary for its own accommo-  
5 dation in the transaction of its business, and from a part of which not so  
6 used, a revenue may be derived.

7 2d. Any real estate mortgaged or conveyed to it as additional  
8 security for, or in satisfaction of, loans previously made by it on personal  
9 security, or in trust for another.

10 3d. Any real estate purchased at sales in satisfaction of judgments,  
11 decrees or mortgages held by such association: *Provided*, that all such real  
12 estate shall be conveyed to and held by such association in its own name,  
13 and that all real estate held or acquired by such association, except its  
14 banking house or such as may be held under specific trust, shall be sold by  
15 such corporation within five years after acquiring title to the same.

Section 12.—Cash reserve. Every incorporated association doing a banking  
2 business in this State shall at all times keep on hand an amount of cash  
3 as follows:

4 1st. In cities containing over fifty thousand inhabitants, twenty-five per  
5 cent. of its deposits.

6 In cities, towns or villages containing less than fifty thousand inhabitants,  
7 fifteen per cent. of its total deposits, one-third of which fifteen per cent.  
8 may consist of balances due such bank, and payable on demand, from  
9 banks incorporated under the laws of this State or of the United States, to  
10 be known as "designated depository," to be approved, on application of  
11 such bank, by the Auditor of Public Accounts. Whenever such cash re-  
12 serve shall be below said amount, such associations shall not increase its  
13 loans or discounts, except sight bills of exchange, nor declare or make any  
14 dividends until such proportion has been restored.

15 13. Dividends and surplus. The directors of any association may, semi-  
16 annually in January and July, declare a dividend of so much of the net  
17 profits of the association, actually collected, as they may deem proper and  
18 expedient. Such net profits shall be ascertained after deducting therefrom  
19 all losses, expenses, taxes and bad debts.

20 14. Bad debts shall consist of such liabilities due to such association as shall  
21 be past due for one year, unsecured and no interest paid thereon for that  
22 period: *Provided*, that until a surplus fund equal to twenty-five per centum  
23 of the capital stock of such association is accumulated and set apart, such  
24 association shall first carry at least ten per centum of such net profits to  
25 such fund, and whenever such fund shall by reason of losses sustained fall  
26 below said twenty-five per cent., then such 10 per cent. or more of net  
27 profits shall be again first applied to the accumulation of such surplus fund.

28 14. Prohibitions and limitations. It shall not be lawful for the  
29 directors, managers or trustees of any banking association now or hereafter  
30 organized under the laws of this State:

31 1st. To declare dividends except as hereinbefore provided.

5 2d. To divide, withdraw, or in any manner pay to the stockholders any  
6 part of its capital stock or surplus fund or to reduce such capital, except  
7 as specifically provided by law.

8 3d. To directly or indirectly discount or receive the note or other evidence  
9 of debt of a stockholder in payment of installments due on stock called in  
10 to be paid, or otherwise to provide such stockholder with the means for  
11 paying such installment.

12 4th. To purchase or directly or indirectly hold shares of its own stock.

13 5th. To receive any shares of its stock as security for any debt due to it:  
14 *Provided, however,* if any of its shares shall be pledged to it to save such  
15 debt and the debt intended to be secured thereby shall not be paid when  
16 due, it shall be the duty of the directors, within sixty days thereafter, to  
17 cause such shares to be sold and the amount received thereon to be cred-  
18 ited on such debt.

19 6th. To receive from any other stock corporation in exchange for its  
20 shares the shares of stock, notes, bonds or other evidences of debt issued  
21 by such corporation.

22 7th. To make any loans or discounts to the directors, managers or true  
23 tes of such banking association or upon paper signed by any of them to an  
24 amount exceeding one-tenth of its capital stock, or to make any loans or  
25 discounts to any person, firm, company or corporation exceed-  
26 ing at the time of making or renewing it one-tenth part of the  
27 capital stock and surplus fund of the association: *Provided,* that no secu-  
28 rities taken for such loans or discounts shall thereby be held invalid: *And*  
29 *provided, further,* that the discount of bills of exchange drawn in good  
30 faith, against actually existing values, and the discount of commercial or  
31 business paper actually owned by the person, firm, company or corporation  
32 negotiating the same, shall not be considered as prohibited by this section.

§ 15. Reports and supervision.—Every association or incorporation organ-



2 ized under the laws of this State, or other corporation doing a banking busi-  
 3 ness in this State, shall make and transmit to the Auditor of Public Accounts  
 4 full and accurate statements in such form as he may prescribe at such times as  
 5 he may call for the same (not to exceed four times in each year), exhibiting its  
 6 resources and liabilities at the close of business on some day prior to such  
 7 call for the same.

8 Such statements shall be signed and certified under oath by the president  
 9 or cashier of any incorporated bank; and such statement shall also be published in  
 10 some newspaper of general circulation in the city, town or village where such  
 11 banking business is transacted, or if none therein published, then in a news-  
 12 paper published at a place nearest thereto, and a copy of such published  
 13 statements shall be transmitted by such bank to the Auditor, duly certified  
 14 by the publisher in such form as the Auditor may require, within five days  
 15 after such publication.

16 Any corporation doing a banking business in this State, who  
 17 shall fail to make and transmit such report (or any special  
 18 report required by the Auditor) within five days after receiving call for the  
 19 same, shall forfeit the sum of one hundred dollars for each day of delay  
 20 thereafter, recoverable by the said Auditor, for the use of the banking  
 21 department of his office, in any court of competent jurisdiction, and he may  
 22 immediately cause an examination of such bank to be made as hereinafter  
 23 provided: *Provided*, that whenever in the opinion of the Auditor it may be  
 24 justifiable or for the interest of the depositors or other creditors or stock-  
 25 holders of any bank or banking business to call for a special report, he may  
 26 call for the same in the manner hereinbefore stated, except that the publi-  
 27 cation of such report shall be at his discretion, and should he deem it then  
 28 necessary he may order an examination of such bank as hereinafter  
 29 provided.

30 In addition to the reports herein required a "dividend and earnings" re

31 port shall be made to the Auditor in such form as he may require, semi-  
 32 annually in January and July, such report to be under oath as other  
 33 reports are.

§ 16. Licenses. -Every association or corporation not incorporated  
 2 under the laws of this State, doing a banking business by re-  
 3 ceiving, or by sign or other notice, or form of advertisement, offering to  
 4 receive deposits in this State, shall, within thirty days after this act takes  
 5 effect, file a written application for a license to transact such business, at  
 6 the office of the Auditor of Public Accounts.

7 Such application shall give the title, corporate or other name of  
 8 such banking business, where located, the amount of capital invested, of  
 9 what it consists, and its liabilities and resources, also such other informa-  
 10 tion and in such form as the Auditor shall require, to be sworn to by the  
 11 officer authorized by such association or corporation to transact its business.

12 Every association or corporation thereafter opening or doing such bank-  
 13 ing business shall, before it receives deposits, make a like appli-  
 14 cation for a license. All licenses shall be recorded in the office of the re-  
 15 corder of deeds of the county where said business is transacted.

16 The Auditor of Public Accounts shall thereupon issue a license to such  
 17 bank to transact such business, which license shall continue in force  
 18 as to the association or corporation therein named until the same is  
 19 surrendered, revoked, annulled, or made void according to law: *Provided,*  
 20 that the Auditor shall first satisfy himself of the truth of the statements  
 21 contained in such application in the manner provided in section seventeen  
 22 of this act, relating to the examination of banking institutions.

23 Whenever any change occurs by impairment of capital invest d  
 24 or of net assets or otherwise, such license shall become void,  
 25 and it shall be the duty of the Auditor to send a notice thereof to  
 26 the recorder of deeds of the county in which such banking business is

transacted, who shall so endorse the record of such license by recording said notice across its face.

All applications for licenses shall be accompanied by a fee of five dollars, which unless the application be refused, in which case the fee shall be refunded shall be placed to the credit of the bank department fund of the Auditor's office.

It shall be the duty of all associations or corporations doing such banking business to immediately notify the Auditor of such change under penalties hereinafter provided.

§ 17. Examinations of banks and banking business. -The Auditor of Public Accounts may, through the superintendent of the banking department or an examiner appointed by him, visit and examine every corporation doing a banking business in this State, at least once in each year, and at such other times as may be made necessary by the condition of such banking business.

The person so examining such banking business shall have power to inspect all books, papers and assets of the same, and shall be authorized to administer oaths and compel the attendance of any person whose testimony may be required to make such examination thorough and complete, and the attendance of such persons and production of papers may be compelled by summons, subpoena or attachment in the manner now authorized in regard to the attendance of persons as witnesses in the courts of record in this State.

The expenses of examination of any incorporated bank shall be paid by such bank, and to defray such expense the following schedule of fees is hereby fixed for regular or annual examinations:

For examining a bank having a capital stock of \$25,000 or less, \$15; over \$25,000 and to \$50,000 inclusive, \$20; over \$50,000 and to \$100,000 inclusive,

20 \$25; over \$100,000 and to \$200,000 inclusive, \$30; over \$200,000 and to \$300,000  
 21 inclusive, \$40; over \$300,000 and to \$400,000 inclusive, \$50; over \$400,000 and  
 22 to \$500,000 inclusive, \$60; all over \$500,000 capital, \$75; which fee shall  
 23 be in lieu of all other compensation and mileage: *Provided*, that  
 24 in all other or special examinations, an additional charge of five cents per  
 25 mile each way, computed by the most direct line of railway from the State  
 26 capital, may be made and collected, but no examiner shall examine more  
 27 than one bank on any one day.

28 No persons shall act as examiner of any bank or banking business who is  
 29 actively engaged in banking business as an officer, employe, owner or part-  
 30 ner therein, nor shall any examiner examine the affairs of any bank of  
 31 which he is a stockholder.

32 No bank or banking business shall be subject to any visitatorial powers  
 33 other than herein authorized, except such as are vested in the courts.

§ 18. Penalties for violation of act, false certification, or assumption of  
 2 name, firm or title.—Any association or corporation doing a banking  
 3 business in this State without first obtaining a license or a certi-  
 4 ficate of incorporation, giving authority to transact such business or who  
 5 shall fail to make reports, submit to examinations, or shall in any manner fail  
 6 or refuse to comply with, or shall otherwise violate the provisions of this act so  
 7 far as it may apply to or govern such association or corporation, shall  
 8 upon conviction thereof, in any court of competent jurisdiction, upon a  
 9 complaint filed by the Auditor of Public Accounts in the name of the  
 10 People of the State of Illinois, be fined in a sum not less than \$100 or  
 11 more than \$1,000 for each day such violation or evasion shall continue.

12 Whoever shall falsely assume a firm partnership or corporate banking  
 13 name, or shall by sign or other mode of advertisement falsely assume or  
 14 announce that any person engaged in such banking business with him, or

15 shall in such case use the word "Company" or "Co." when no partnership exists,  
 16 to transact such business, shall upon conviction thereof, in any court of  
 17 competent jurisdiction, be fined not less than one hundred dollars (\$100)  
 18 nor more than one thousand dollars (\$1,000), or imprisoned in the county  
 19 jail not less than sixty days or more than one year or both, in the discretion  
 20 of the court, upon a complaint filed by any citizen or the State's attorney,  
 21 to be prosecuted by him in the name of the People of the State of Illinois.

22 Any officer, owner, clerk or agent of any bank or banking firm or business  
 23 who shall certify any check or draft drawn upon such bank or banking firm  
 24 or business to be good, when the person, company or corporation drawing  
 25 such check or draft has not on deposit therein an amount equal to the  
 26 amount stated in the same, shall on conviction thereof, in any court of  
 27 competent jurisdiction, on complaint filed by any citizen or by the State's  
 28 attorney of the county to be prosecuted by him in the name of the People  
 29 of the State of Illinois, be fined in any sum not less than one hundred  
 30 dollars or more than one thousand dollars, and to imprisonment in the  
 31 county jail not exceeding one year, at the discretion of the court.

32 Any check so certified by any authorized person or officer shall be a good  
 33 and valid obligation against such bank, banking firm or business.

34 Every director of an incorporated bank or a corporation doing a banking  
 35 business, who shall violate or be concerned in violating any of the provisions  
 36 of this act shall be personally liable to the creditors and stockholders  
 37 respectively of the corporation of which he is a director, to the full extent  
 38 of any loss which they, or either, may sustain by reason of such violation.  
 39 Any person making a false statement under oath, under the provisions of  
 40 this act, shall be deemed guilty of perjury and shall, on conviction thereof,  
 41 be punished accordingly.

§ 19. Power to appoint receiver and to wind up banking corporation and  
 2 withdraw license from corporations doing a banking business.—Whenever the

3 Auditor of Public Accounts shall become satisfied that the capital stock of any  
 4 incorporated bank or association doing a banking business as defined by this act,  
 5 shall be impaired or reduced and shall so remain impaired or reduced for  
 6 thirty days, except as provided for in this act, or that such bank or bank-  
 7 ing business is managed in violation of any of the provisions of this act,  
 8 he may file a bill in chancery in the circuit court of the proper county  
 9 against such bank, in the name of the People of the State of Illinois, praying  
 10 for the appointment of a receiver to liquidate and wind up its affairs.

11 The court or a judge thereof in vacation shall, when satisfied that  
 12 sufficient cause is shown, appoint some suitable and disinterested person  
 13 and fix his bond as such receiver.

14 Such receiver upon the acceptance of his bond and security by the court,  
 15 or judge, shall then proceed under the direction of said court to promptly  
 16 execute his trust.

§ 20. Voluntary liquidation of the affairs of banks and banking busi-  
 2 ness.—Any incorporated association doing a banking business in this State may  
 3 enter into voluntary liquidation to close up its business before the expiration of  
 4 its charter, upon a vote (taken by ballot) of its shareholders representing  
 5 two-thirds of its capital stock, at any regular or special meetings of the  
 6 stockholders thereof (notice thereof to be given in the same manner as for  
 7 annual meetings of stockholders).

8 The resolution so submitted and adopted shall be certified to the Auditor  
 9 and a copy thereof published in a newspaper of general circulation, pub-  
 10 lished in the place where such bank is located, and if none is there pub-  
 11 lished, then in a newspaper nearest thereto, and a copy of such publication  
 12 certified under oath by the publisher forwarded by said bank to the Audi-  
 13 tor, who shall after examination thereof and being satisfied that such bank  
 14 is solvent issue his certificate, authorizing it to close its business.

15 The directors or officers acting under their authority may thereupon pro-

16 ceed to close up the business of such association, but they shall not receive  
17 deposits or create any new liabilities thereafter.

18 If after a period of six months has elapsed from the date of the certificate  
19 of the Auditor authorizing such bank to close its business, the said associa-  
20 tion shall not have liquidated its liabilities and distributed its remaining  
21 assets to its stockholders, and resigned or surrendered its charter, then  
22 the Auditor shall require said bank to deposit a sum sufficient to pay all  
23 outstanding liabilities as may be shown by an examination of such bank  
24 then to be made, and shall give public notice for four weeks in the same  
25 manner as is required for the publication of to close up business,  
26 that all notes, or other liabilities, of such association will be redeemed by  
27 him. Any balance of said deposit remaining in his hands after a period of  
28 five years from the date of said notice shall be distributed by him, with  
29 such interest thereon as may have been accumulated, to the stockholders  
30 of such bank. Such deposit may be made in some bank designated by the  
31 Auditor, to be under his direction and subject to his order.

32 The Auditor shall be entitled to two per cent. of all money paid out by  
33 him as hereinbefore provided, where the amount so deposited shall not  
34 exceed five thousand dollars, and on all sums above that amount, to one  
35 per cent. as fees of his office, for the use of the banking department  
36 thereof; *Provided*, that if upon an examination made the Auditor shall find  
37 such association to be insolvent, or shall be satisfied that the interests of  
38 its creditors or stockholders require it, he may proceed to have a receiver  
39 appointed as hereinbefore provided, to wind up its affairs and distribute its  
40 assets.

41 The provisions of this section shall also apply to closing up the  
42 business of associations whose charter has expired, so far as it can be made  
43 applicable to them.

§ 21. Application of act. The provisions of this act shall apply to all

banks heretofore incorporated under the laws of the State, whether organized under general or special acts, and so far as they can be made applicable to all banks or banking associations incorporated under the laws of other States or countries doing a banking business in this State, and they shall respectively be subject to the provisions and requirements of this act as if organized under it.

§ 22. Banking department. For the purpose of carrying the provisions of this act into effect, there is hereby established a banking department, under the direction of the Auditor of Public Accounts, which shall be charged with the execution of the laws relating to banks and banking business generally, savings banks, building and loan associations, trust or indemnity companies, and every corporation or association having powers of deposit, loan or discount, or to assume banking obligations in this State, but not insurance companies or associations of any character.

The Auditor of Public Accounts shall be ex-officio superintendent of said department (but without additional salary) until such time as the Governor may appoint a superintendent or during the time such office may become vacant. It shall be the duty of the Governor, by and with the advice and consent of the Senate, to appoint a superintendent of the banking department, to hold office for four years, and he shall also fill any vacancy for any unexpired term.

Such officer shall, before entering upon his duties, take the oath of office taken by civil officers, and shall execute a bond to the People of the State of Illinois in the penal sum of ten thousand dollars, with securities to be approved by the Governor and Auditor, conditioned to the strict and faithful performance of his office according to law.

He shall receive a salary of \$3,000 per annum and shall be paid such actual expenses and outlays as he may have had by reason of examinations made personally by him as bank examiner, an itemized account of which



24 shall be certified by him to the Auditor of Public Accounts, all to be paid  
 25 out of the bank department fund or other like account of all money re-  
 26 ceived by the department under this act: *Provided*, that no part of the  
 27 salaries or expenses of this department shall be paid by the State. Such  
 28 banking department shall be a part or division of the office of the Auditor  
 29 of Public Accounts, and all reports of said department shall be made to  
 30 the Auditor, who shall incorporate them in proper form in his biennial  
 31 report to the General Assembly, together with a list of employees and their  
 32 salaries, and of all moneys received and paid out by such department under  
 33 this act.

34 A seal of office is hereby authorized for said department, to be approved  
 35 by the Auditor, and as many clerks and examiners as may be necessary to  
 36 discharge the duties imposed under this act, within the limits of the re-  
 37 ceipts of the department from all sources.

38 Such superintendent shall not, during the time he holds such office, act  
 39 as an officer or director of any association, or be the owner or part owner  
 40 of any banking business, nor shall he become indebted or obligated to any  
 41 bank or any other organization, or be engaged in the business of sale of  
 42 securities or negotiation of loans, and upon a violation of this provision the  
 43 office shall become vacant. Every corporation doing a banking business in  
 44 this State shall pay into the banking department fund of the Auditor's of-  
 45 fice the sum of five dollars annually on or before the fifteenth day of Jan-  
 46 uary, to be applied to the payment of salaries and other expenses incurred  
 47 in the management of said department, and upon a failure to pay such sum  
 48 it shall be the duty of the Auditor to sue for and collect the same by pro-  
 49 cess of law.

§ 23. Repeal of former acts.—The acts entitled "An act concerning cor-  
 2 porations with banking powers," approved June 16, 1887, "An  
 3 act in relation to the election and qualification of directors in banks

4 organized under the laws of the State of Illinois," approved May 22, 1889,  
 5 and "An act to amend sections one (1), six (6) and eleven (11) of an act en-  
 6 titled "An act concerning corporations with banking powers," approved June  
 7 16, 1887, approved June 3, 1889, are hereby repealed.

§ 24. Submission for ratification. It shall be the duty of the Secretary of  
 2 State for this State to submit this act to a vote of the people for their rat-  
 3 ification according to Article XI, section 5, of the constitution of this  
 4 State, at the next general election, and the question shall be, "For the act  
 5 in regard to banks and banking, to incorporate, license and regulate the  
 6 same, and to repeal certain acts therein named:" "Against the act in re-  
 7 gard to banks and banking, to incorporate, license and regulate the same,  
 8 and to repeal certain acts therein named."

9 And if approved by a majority of the votes cast at such election for or  
 10 against such act, the Governor shall thereupon issue his proclamation that  
 11 this act is then in force.

1. Introduced by Mr. Evans March 31, 1891, and ordered to first reading.
2. First reading March 31, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act entitled "An act to regulate the traffic in baking powder."

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*SECTION 1. Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That any person who shall knowingly sell or pro-  
3 cure the sale or offer for sale any package or can of baking powder con-  
4 taining any ammonia in it not distinctly, legibly and durably stamped,  
5 branded or marked in a conspicuous place with the words in the English  
6 language, "This baking powder contains ammonia," in letters of equal to one-  
7 half size of any other letters upon said package or can, shall be guilty of  
8 a misdemeanor and punishable by a fine not less than \$20 nor more than  
9 \$100, or shall be confined in the county jail not less than ten nor more  
10 than twenty days, or by both fine and imprisonment, in the discretion of  
11 the court.

§ 2. Any person who shall knowingly sell or procure the sale or offer  
2 for sale any package or can of baking powder containing any alum in it,  
3 not distinctly, legibly and durably stamped, branded or marked in a con-  
4 spicuous place with the words in the English language, "This baking powder  
5 contains alum," in letters equal to one-half the size of any other letters upon  
6 said package or can, shall be guilty of a misdemeanor and punishable by a  
7 fine of not less than \$20 nor more than \$100, or imprisoned in the county

8: ~~shall~~ not less than ten days nor more than twenty days, or by both fine and  
9 imprisonment, in the discretion of the court.

§ 3. The sale or offer for sale of the substance mentioned in the fore-  
2 going section in packages not stamped, marked, branded or labeled as  
3 herein required, shall be prima facie evidence of knowledge of the char-  
4 acter of said substance on the part of the person so selling or offering for  
5 sale and his employer.

1. Introduced by Committee on Railroads, April 1, 1891, and ordered to first reading.
2. First reading April 1, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to enable any railroad company whose main line runs near to any county seat to change and relocate such line so as run through such county seat.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That each and every railroad corporation organized in this State or doing business therein, which has a branch of its railway running through any county seat, and is compelled by law to run all trains passing over the line used by it as its main line upon and over said branch to such county seat, be and it is hereby authorized to relocate and change the line used by it as its main line of railway and bring it into or through such county seat, so that all trains running over said main line shall pass into or through such county seat on said main line and stop thereat to receive and let off passengers and to put on and take off freight.

§ 2. Whenever any railroad corporation shall have re-located and changed the line used by it as its main line of railway, as provided in section one

3 of this act, and shall run all trains over said main line when re-located into  
4 or through such county seat, it shall not be required, notwithstanding the  
5 decision of any court of this State heretofore rendered, to run any train or  
6 trains passing over the line used by it as its main line upon or over any  
7 part of said branch into said county seat: *Provided, however,* it shall be the  
8 duty of any such railroad corporation desiring to avail itself of the  
9 provisions of this act to so re-locate its main line of railroad as to bring  
10 the same as near to the business center of such county seat as such branch  
11 of its railroad is now located, and such railroad corporation upon its main  
12 line so re-located shall build, erect and maintain a good and sufficient  
13 depot as near to the business center of such county seat as the depot which  
14 may now be located on such branch of its railway, and at such depot on  
15 said re-located main line of railroad all trains shall stop to receive and let  
16 off passengers and to put on and take off freight.

17 Any railroad company accepting the provisions of this act shall  
18 abandon its right of way and remove its tracks over that portion of its  
19 main line between the point where said re-located line leaves the main line  
20 as now located and the point where said main line as now located intersects  
21 its said branch line as now located, and any railroad company accepting  
22 the provisions of this act shall file in the office of the recorder of the county  
23 where such change is made, a map showing in detail the portion of the  
24 lines and tracks abandoned and of the new line as re-located, and such  
25 recorder shall record such map.

§ 3. Any railroad corporation accepting the provisions of this act and  
2 re-locating a portion of its main line under the provisions thereof shall for-  
3 ever maintain its depot and operate its main line as re-located.

§ 4. Every such corporation making the change in the line used by it as  
2 its main line provided for in section one of this act is hereby vested with

3 full power and authority to acquire lands necessary for the right of way  
4 and depot purposes for the purpose of making such change in its line and  
5 for establishing the necessary depots thereon; and if it is unable to obtain  
6 such lands by purchase it may acquire them in the manner and under the  
7 conditions provided by the act to provide for the exercise of the right of  
8 eminent domain.





1. Introduced by Mr. Charles H. Crawford April 1, 1891, and ordered to first reading.
2. First reading April 1, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 5, of chapter 134, entitled "An act to revise the law in relation to telegraph companies," approved March 24, 1874, in force July 1, 1874.

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### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section five of an act entitled "An act to revise  
3 the law in relation to telegraph companies," approved March 24, 1874, in  
4 force July 1, 1874, be and the same is hereby amended so as to read as fol-  
5 lows, to-wit:

Section 5. Any person who shall unlawfully, intentionally and maliciously  
2 injure, molest or destroy any telegraph or telephone line, wire or cable,  
3 pole, pier or abutment, or the material or property belonging thereto, or any  
4 unauthorized person or persons who shall unlawfully, willfully and malici-  
5 ously cut, break, tap, or make any connection with any telegraph or tele-  
6 phone line, wire, cable, or instrument, or read or copy in any unauthorized  
7 manner, any message, either social, business, sporting news or commercial  
8 reports passing over it, in this State; or who shall willfully and maliciously

9 prevent, obstruct or delay, by any means or contrivance whatsoever, the  
10 sending, conveyance or delivery, in this State, of any authorized communi-  
11 cation, by or through any telegraph or telephone line, wire, or cable, under  
12 the control of any telegraph or telephone company doing business in this  
13 State; or who shall willfully and maliciously aid, agree with, employ, or  
14 conspire with any unauthorized person or persons to unlawfully do, or  
15 cause to be done, any of the acts hereinbefore mentioned, shall, on convic-  
16 tion thereof, be deemed guilty of a misdemeanor and be punished by a fine  
17 of not less than \$300 nor more than \$500, or imprisonment in the county  
18 jail not exceeding one year, or both, at the discretion of the court having  
19 cognizance thereof.

20 Prosecution under this act shall be by indictment in any court having  
21 criminal jurisdiction.

**37th Assem.**

**HOUSE.**

**June 1891**

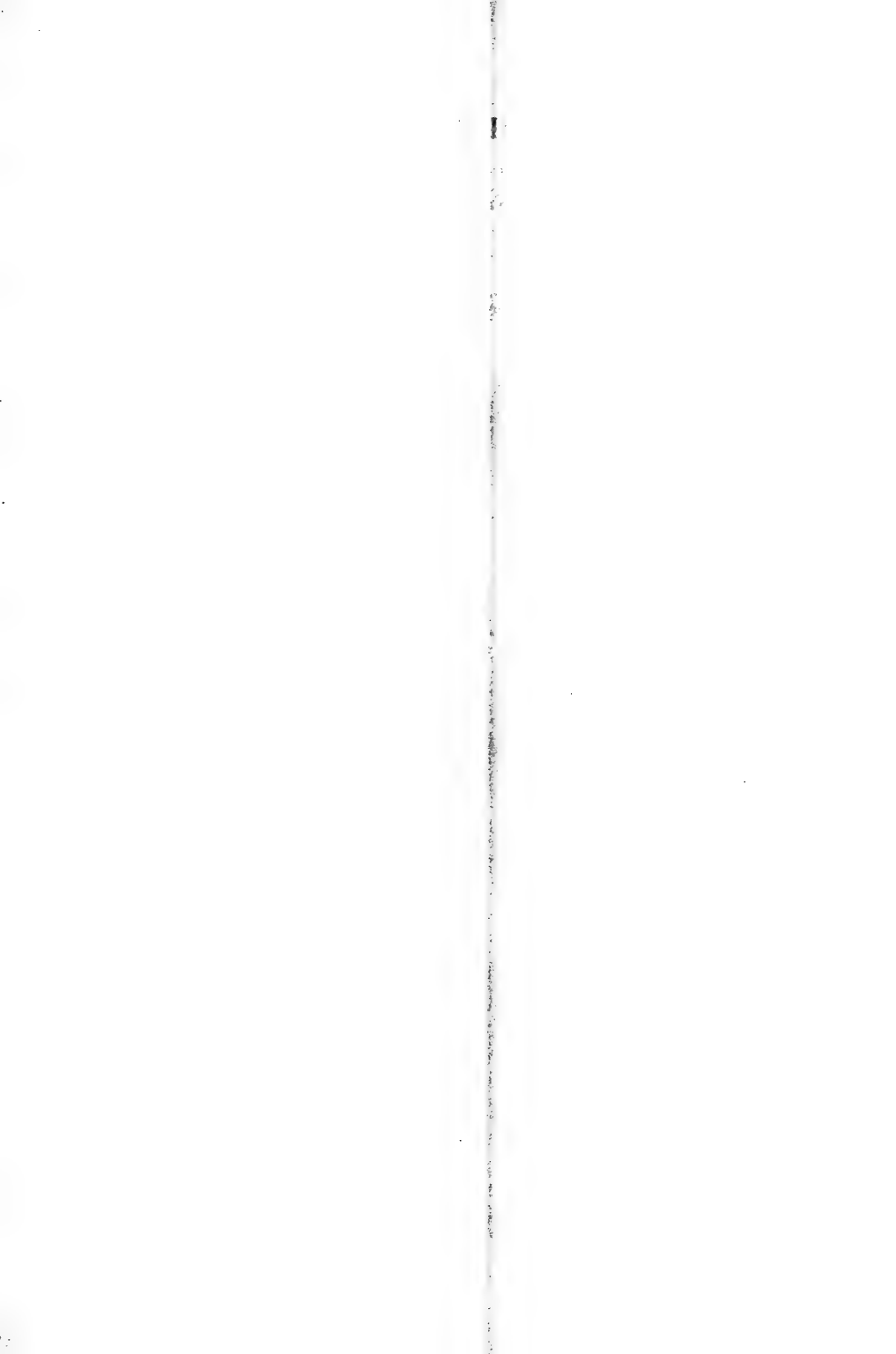
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**AMENDMENT TO SENATE BILL No. 280—IN HOUSE.**

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Adopted by the House of Representatives June 5, 1891, ordered printed and engrossed June 5, 1891.

1. Amend by striking out the words "read or" in the 2nd line of the 5th section of the bill as printed.



**37th Assem.**

**HOUSE.**

**June 1891**

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**AMENDMENTS TO SENATE BILL No. 280--IN HOUSE.**

---

Adopted by the House of Representatives June 4, 1891, ordered printed and engrossed June 4, 1891.

1. Amend by striking out the **words** "or telephone" wherever they appear in lines 2, 5, 6, 11 and 12 of the **printed bill**.

2. Amend by inserting between "or" and "read" in line 6 of section 5 of the **printed bill** the words, "unlawfully willfully and maliciously."

3. Amend by striking out of **line 6** of section 5 of **printed bill** the words "or read."

1870-1871

1870-1871

1870-1871

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1. Introduced by Mr. Karraker, April 1, 1891, and ordered to first reading.
2. First reading April 1, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments April 16, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act making an appropriation for the Illinois Southern Hospital for the Insane at Anna.

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- SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That the following amounts be and the same are*
- § hereby appropriated to the Southern Illinois Hospital for the Insane at Anna, for the purposes herein named, and no other:
- 5 For changing system of heating from high pressure to low pressure and
  - 6 for repair of pipes, \$2,500.
  - 7 For repair of road from Hospital to Anna and making of driveways
  - 8 around new building, \$2,000.
  - 9 For the completion of sidewalk from Hospital to Anna, \$1,000.
  - 10 For new store house, \$2,500.
  - 11 For new bake oven and repair of room for same, \$1,500.
  - 12 For new water tank and tower, \$6,000.
  - 13 For repair of cottage, \$1,000.
  - 14 For refrigerating plant, \$3,882.
  - 15 For elevator, \$3,500.

**PROPOSED AMENDMENTS TO SENATE BILL No. 281, BY THE COMMITTEE ON APPROPRIATIONS.**

**Amendment 1.**—Amend section 1 by striking out of line 13 the figures “\$1,000” and insert the figures “\$500” in lieu thereof.

**2.**—Amend section 1 by striking out of line 15 the following words and figures, “For elevator, \$3,500.”

**3.**—Amend by adding:

**Section 2.** The moneys herein appropriated shall be due and payable to the trustees on their order only, on the terms and in the manner now provided by law.



**37th Assem.**

**HOUSE.**

**June 1891**

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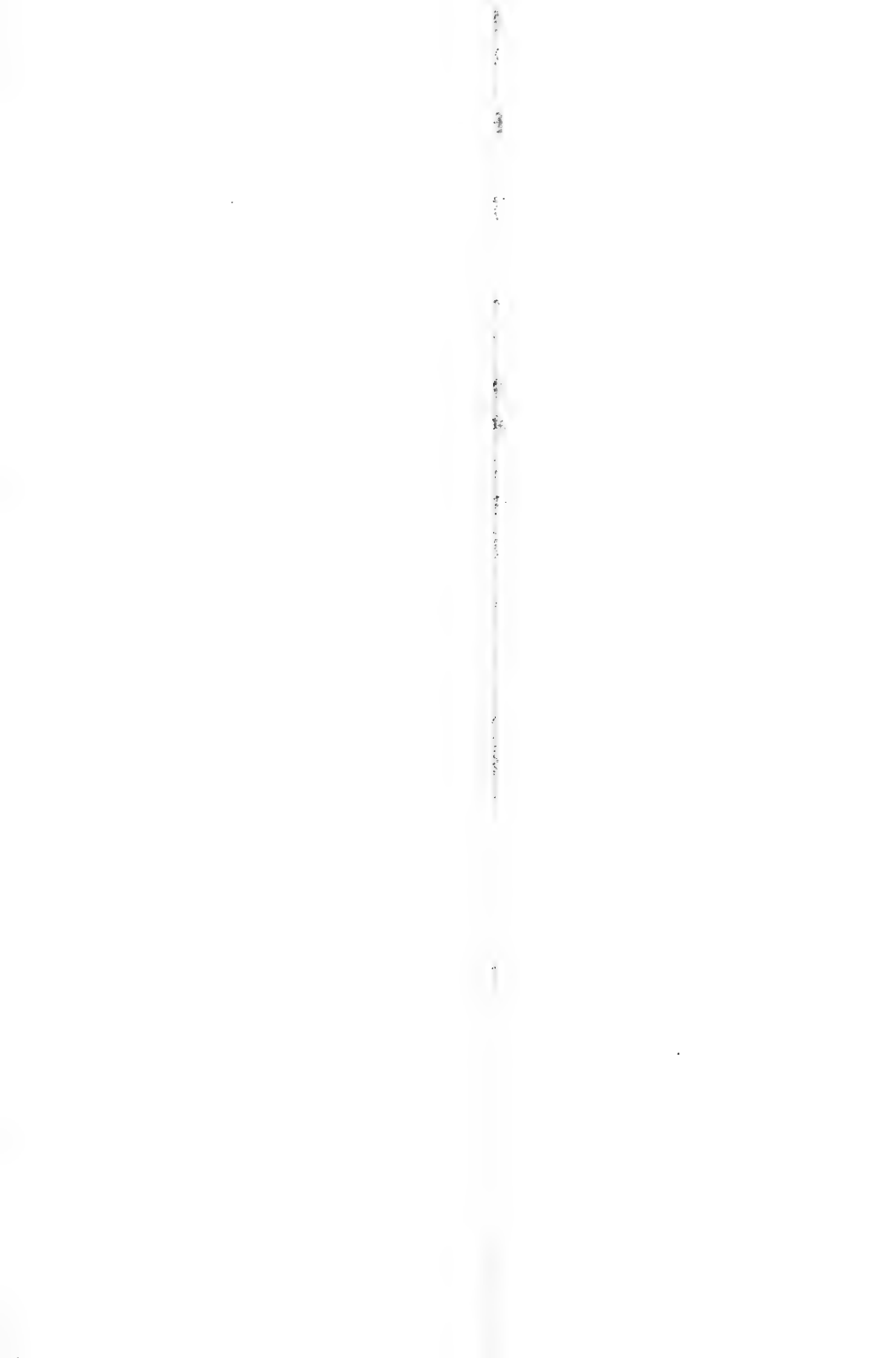
**AMENDMENTS TO SENATE BILL No. 281—IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 by striking out in line 8 of the printed bill the figures and words "two thousand dollars (\$2,000)," and inserting the words "one thousand dollars" in place thereof.

2. Amend same section by striking out all of line 10 of the printed bill.



1. Introduced by Mr. Noonan, April 1, 1891, and ordered to first reading.
2. First reading April 1, 1891, and referred to Committee on Roads, Highways and Bridges.
3. Reported back April 22, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend second fifty-four (54) of an act entitled "An act in regard to roads, highways and bridges in counties under township organization, and to repeal parts of an act therein named," approved June 23, 1883, in force July 1, 1883.

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*Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section fifty four (54) of "An act in relation to roads, highways and bridges in counties under township organization," in force July 1, 1883, be amended to read as follows:*

Section 54. Roads for private and public use, of the width of three rods or less, may be laid out from one dwelling or plantation of an individual to any public road, or from one public road to another, or from a lot of land to a public road, or from a lot of land to a public waterway, on petition to the commissioners by any person directly interested. The commissioners, on receiving such petition, shall have power to lay out the road as asked for therein to which end they shall proceed and examine into the merits of the case, and shall be governed in their proceedings by the rules and regulations prescribed in this act in relation to public roads. The jury shall consider the damages that may result to parties from said proposed

11 road, and shall assess the damages to each individual owner of lands af-  
12 fected thereby. The amount of such damages shall be paid by the persons  
13 benefitted thereby, to the extent and in proportion that they are benefitted,  
14 to be determined and declared by the jury. The remainder of the amount  
15 of damages over and above that to be paid by the parties as aforesaid shall  
16 be paid by the town as in other cases. The amount of damages to be paid  
17 by individuals shall be paid to the parties entitled thereto, before the  
18 road shall be opened for use. An appeal may be taken on the question of  
19 the propriety and necessity of such road as in other cases.

1. Introduced by Mr. Newell April 1, 1891, and ordered to first reading.
2. First reading April 1, 1891, and referred to Committee on Judiciary.
3. Reported back April 10, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 9 of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 9 of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, be and the same is hereby amended to read as follows:

Section 9. In the county of Peoria, on the first Mondays in February, May, October and December; in the county of Stark, on the second Mondays of March and September; in the county of Tazewell, on the first Mondays of May and February and the second Mondays of September and November; in the county of Marshall, on the second Mondays of January and the first Mondays of June and October; in the county of Putnam, on

7 the first Monday of March and the fourth Monday of October; in the  
8 county of Woodford on the second Tuesday of April and the first Tues  
9 days of August and December in each year. At the April term of the  
10 Woodford county circuit court no grand or petit jury shall be required to  
11 attend without the special order of the presiding judge of said court.

1. Introduced by Committee on Insurance April 2, 1891, and ordered to first reading.
2. First reading April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend the title of, and sections one (1) and eight (8) of an act entitled "An act to incorporate and to govern accident life insurance companies doing business in the State of Illinois," approved June 7, 1889, in force July 1, 1889.

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SESS. 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That the title of an act entitled "An act to incor  
3 porate and to govern accident life insurance companies doing business in  
4 the State of Illinois," approved June 7, 1889, in force July 1, 1889, be and  
5 the same is hereby so amended as to read as follows:

6 "An act to provide for the incorporation and government of accident life,  
7 plate glass and steam boiler insurance companies," and that sections one (1)  
8 and eight (8) of said act be and they are hereby so amended as to read as  
9 follows:

Section 1. Any number of persons not less than nine (9) may associate  
2 and form an incorporated company which shall be authorized and empower  
3 ed to make contracts and to issue policies and certificates, insuring and  
4 protecting persons against damage from loss of life or personal injury  
5 resulting from accident, which policies or certificates shall state on their  
6 face the agreement with the persons receiving the same, and when executed  
7 in accordance with this act and the by-laws of said company shall be bind-

ing upon the same; and all companies organized under this act, or any law of this State authorizing them to do an accident life insurance business, are also hereby authorized to insure plate glass against accidental breakage and steam boilers against explosion.

Section 8. It shall not be lawful for any company, corporation or individuals organized or doing business under the laws of this State or of any one of the United States or of any foreign government to transact in this State the business of accident life insurance or the combined business of accident life, plate glass and steam boiler insurance or to aid in the transaction of the same, unless such company, corporation or individuals shall have conformed in such other State or government, or in this State, with the same requirements in regard to capital and reserve that are imposed by this act upon companies in this State.



1. Introduced by Committee on Judicial Department and Apportionment April 2, 1891, and ordered to first reading.
2. First reading April 2, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to prevent and punish adulterations of food, and to prohibit the manufacture and sale of adulterated food products.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That it shall be unlawful for any person, company  
3 or corporation, or any manager, agent, officer or any employe of any person,  
4 [company or corporation, in this State, to manufacture or cause to be manu-  
5 factured, or to sell or offer for sale, any food products such as butter,  
6 cheese, flour, sugar, spices or other articles calculated or intended to be  
7 used as food, which shall be adulterated or mixed with any deleterious  
8 substance not necessary in the manufacture of such articles, or rendering  
9 the same in any degree impure or unwholesome.

§ 2. It shall also be unlawful to mix, compound or sell any food products  
2 already manufactured which shall not be absolutely free from all impurities  
3 or adulterations.

§ 3. Every person, company or corporation, and every manager, agent,  
2 officer or employe of any person, company or corporation, who shall, either  
3 by himself, herself, itself or another either as principal, servant, agent or  
4 employe, violate any provision of section one or section two of this act, shall

5 for the first offense pay a fine of not less than one hundred nor more than  
6 two hundred dollars, to be recovered in an action of debt before a justice of  
7 the peace or any other court of competent jurisdiction, on complaint of any  
8 person; one-half of such fine to be paid to the person making the complaint,  
9 and the balance to go to the school fund of the county where the offense  
10 shall be committed. For each subsequent offense the penalty may be as  
11 above, or by indictment in a court of record, in which case the former  
12 conviction being alleged and proved, the penalty shall be a fine of not less  
13 than five hundred dollars, nor more than one thousand dollars, or imprison-  
14 ment in the county jail for not less than thirty days nor more than one  
15 year, or both, in the discretion of the court; and if a corporation the  
16 forfeiture of all corporate rights may, in the discretion of the court, be  
17 made a part of the judgment.

1. Introduced by Mr. Higbee, April 2, 1891, and ordered to first reading.
2. First reading April 2, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments April 24, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 18 of an act entitled "An act in regard to administration of estates," approved April 1, 1872, in force July 1, 1872.

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**SUMMON 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 18 of an act entitled "An act in regard to administration of estates," approved April 1, 1872, and in force July 1, 1872, be amended so as to read as follows:

Section 18. Administration shall be granted upon the goods and chattels of decedents to the surviving husband or wife or to the next of kin to the intestate or some of them if they will accept the same, or the court may grant letters of administration to some competent person who may be nominated to the court by either of them, but in all cases the surviving husband or wife or the person so nominated by him or her respectively shall have the preference, and if none of the persons hereinbefore mentioned applies within 60 days from the death of the intestate, the county court may grant administration to any creditor who shall apply for the same. If no creditor applies within fifteen days next after the lapse of sixty days, as aforesaid, administration may be granted to any person whom the county court may think will best manage the estate. In all cases where the intestate is a non-resident, or without a widow, next of kin or creditors in this

14 State, but leaves property within the State, administration shall be granted  
15 to the public administrators of the proper county: *Provided*, that no admin-  
16 istration shall in any case be granted until satisfactory proof be made be-  
17 fore the county court, to whom application for that purpose is made, that  
18 the person in whose estate letters of administration are requested is dead,  
19 and died intestate: *And provided further*, that no non-resident of this State  
20 shall be appointed administrator, or allowed to act as such.

1. Introduced by Mr. Noonan April 2, 1891, and ordered to first reading.
  2. First reading April 2, 1891, and referred to Committee on Warehouses.
  3. Reported back April 9, 1891, and ordered to be printed for use of committee.
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## A BILL

For an act to provide for the economical storage, accurate weighing and safe transportation of grain and seeds by public warehouseman and railroad companies.

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*SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly,*

1. That every railroad company, fast freight line or other common carrier transporting grain or seeds in railroad cars to or from points within the State of Illinois, shall issue a receipt or bill of lading in which shall be stated the true and correct weight of the contents of each car of grain or seed delivered to them for transportation, and where and how weighed, which amount so designated in said receipt or bill of lading shall represent the quantity and amount for which they shall be liable to the owner, shipper, consignee or their agents under their contracts as such common carrier.

2. It shall be unlawful for any railroad company, fast freight line or other common carrier as aforesaid, doing business within the State of Illinois, to deliver any grain or seeds to any public warehouse, connecting lines, other common carriers or consignees within the State of Illinois without taking a receipt from such public warehousemen, connecting lines,

17 common carrier or other consignee as aforesaid, for the exact amount and  
18 kind of grain or seed so delivered, and without making any allowance for  
19 loss in transit, shrinkage, or for any other causes from which a shortage  
20 may arise, except in the manner as is hereinafter provided; and where  
21 grain or seed so delivered has been inspected by the State grain inspection  
22 department, the grade of such grain or seed shall be designated in such re-  
23 ceipt, the date together with the initial and number of the car from which  
24 said grain or seed was unloaded, a record of which shall be kept by said  
25 railroad company or common carrier delivering said property, in addition to  
26 the receipt, both or either of which are to be subject to the inspection of  
27 any authorized person or representative of the property.

28 3. It shall be unlawful for the manager of any public warehouse, con-  
29 necting railroad or other common carrier or consignee to neglect or refuse  
30 to give a receipt for the exact amount of grain or seed delivered to them  
31 and unloaded by or for them, in which shall be stated the kind of grain or  
32 seed, grade, its actual net weight without gross or tare, initial and number  
33 of the car from which it was unloaded, and the date of such delivery.

34 4. It shall be the duty of all public warehousemen receiving grain or  
35 seeds for storage, sale or shipment where storage is charged, and upon  
36 whose weights, contracts or settlements of any kind or character are based,  
37 to keep a true and correct account of all grain or seeds received by them  
38 for storage, sale or shipment, a record of which shall be made in a book  
39 kept for that purpose, in which shall be stated the date, amount, kind and  
40 grade of grain and seeds received, with the initial and number of the car  
41 from which it is unloaded.

42 5. It shall be unlawful for any corporation, firm or individual owning or  
43 operating any public warehouse in which grain or seeds are placed for  
44 storage or shipment, and belonging to other parties than those owning or  
45 operating said warehouse, to buy or sell grain for their own account,

46 directly or indirectly, or to mix the different grades of the same kind of  
47 grain or seeds for the purpose of raising or lowering the grades of any  
48 grain or seeds that may be in their custody as warehousemen, except upon  
49 the authority of the actual owner of said property or his duly authorized  
50 agents.

51 6. It shall be unlawful for any railroad company, fast freight line or  
52 common carrier doing business within the State Illinois to make any trans-  
53 fers of grain or seeds from the car into which it was originally loaded to  
54 another car for the purpose of reshipment or otherwise, without ascertain-  
55 ing the actual net weight of said grain or seeds, by weighing the same in  
56 covered stationary hopper scales, capable of weighing the entire contents of  
57 each car separately and at a single draft. It shall be the duty of said rail-  
58 road company, common carrier or other party operating said scales to have  
59 their accuracy tested by the public scaler of weights and measures as often  
60 as once each ninety days, whose certificate stating the true condition of  
61 said scales shall be posted upon said scale or scales for the information of  
62 interested parties.

63 7. It shall be the duty of every public warehouse receiving grain or  
64 seeds for storage or shipment, upon whose weights, purchase, sale or freight  
65 contracts are to be based, to keep a full and correct record of all grain or  
66 seeds received into such public warehouse; a like record shall be kept of  
67 all shipments or deliveries in which shall be specifically stated the date of  
68 each receipt or delivery, the initial, number or name of the car, vessel or  
69 teams from whom it is received, and to whom it is delivered.

70 8. It shall be the duty of the Board of Railroad and Warehouse Com-  
71 mission to cause an inventory to be made at least twice a year, and as  
72 much oftener as may be deemed necessary, of the grain on hand in every  
73 public warehouse within the State of Illinois where grain is deposited by  
74 its owners for storage, or for the purpose of ascertaining the overplus, if

75 any, of any kind or grade of grain not accounted for in the receipts or  
76 records of same, as herein provided.

77 In computing the gross amount of grain or seeds received into any pub-  
78 lic warehouse up to the time each inventory is taken, as herein provided,  
79 an allowance of one-tenth (1-10) of one per cent. of the gross receipts may  
80 be deducted therefrom to cover shortages arising from shrinkage, loss in  
81 handling or variation in scales; after making this allowance from the gross  
82 receipts, the amount shipped during the same period shall be deducted;  
83 the remainder as shown shall represent the amount on hand. In case any  
84 overplus appears said amount shall be turned over to the chief grain in-  
85 spector, and by him sold, the proceeds to be applied to the credit of the  
86 grain inspection department's expense account for the benefit of the own-  
87 ers of such property, by reducing in that manner the general operating  
88 expenses of the grain inspection department. To facilitate the taking of  
89 the inventory as herein provided, it shall be the duty of every corporation,  
90 firm or individual owning or operating a public warehouse for the storage  
91 or shipment of grain or seeds to forward, within sixty days after this act  
92 takes effect, a diagram showing location, size and capacity of each public  
93 warehouse, its plan of construction, size, number and capacity of bins con-  
94 tained in each structure.

95 9. For the purposes of this act the definition of public warehouses shall  
96 apply to all houses where grain and seed are deposited by its owners,  
97 and rates of storage, insurance and other expenses are charged by the  
98 custodian of such property, or where the weights of such grain or seeds  
99 are determined for the purposes of purchase, sale or shipment.

100 10. Any violation of this act by any railroad company, fast freight line  
101 or other common carrier, or by any corporation, firm or individual owning  
102 or operating any public warehouse where grain or seeds are stored for  
103 shipment or otherwise, shall subject the offender to a fine of not less than



104 one hundred or more than five hundred dollars for each offense, with  
105 imprisonment until such fine is paid. Such action to be brought by the  
106 Board of Railroad and Warehouse Commission in the name of the People  
107 of Illinois upon the complaint of any reputable citizen, before any court  
108 of competent jurisdiction in the State of Illinois. One-half of all fines im-  
109 posed and collected shall be paid to the party filing the information.

110 11. The object and intent of this enactment being to protect owners and  
111 dealers in grain and seeds from any illegal tolls being levied by ware-  
112 housemen and common carriers by false weighing, and to prevent any  
113 evasion by the common carrier of their liability to deliver all grain and  
114 seed they receipt for in their contracts with the shippers or owners of the  
115 property and for which they are legally responsible.

116 12. Any acts or parts of acts now in force that conflict with any of the  
117 provisions of this act are hereby repealed.



1. Introduced by Mr. O'Connor April 8, 1891, and ordered to first reading.
2. First reading April 8, 1891, and referred to Committee on Appropriations.
3. Reported back April 22, 1891, passage recommended and ordered to second reading.

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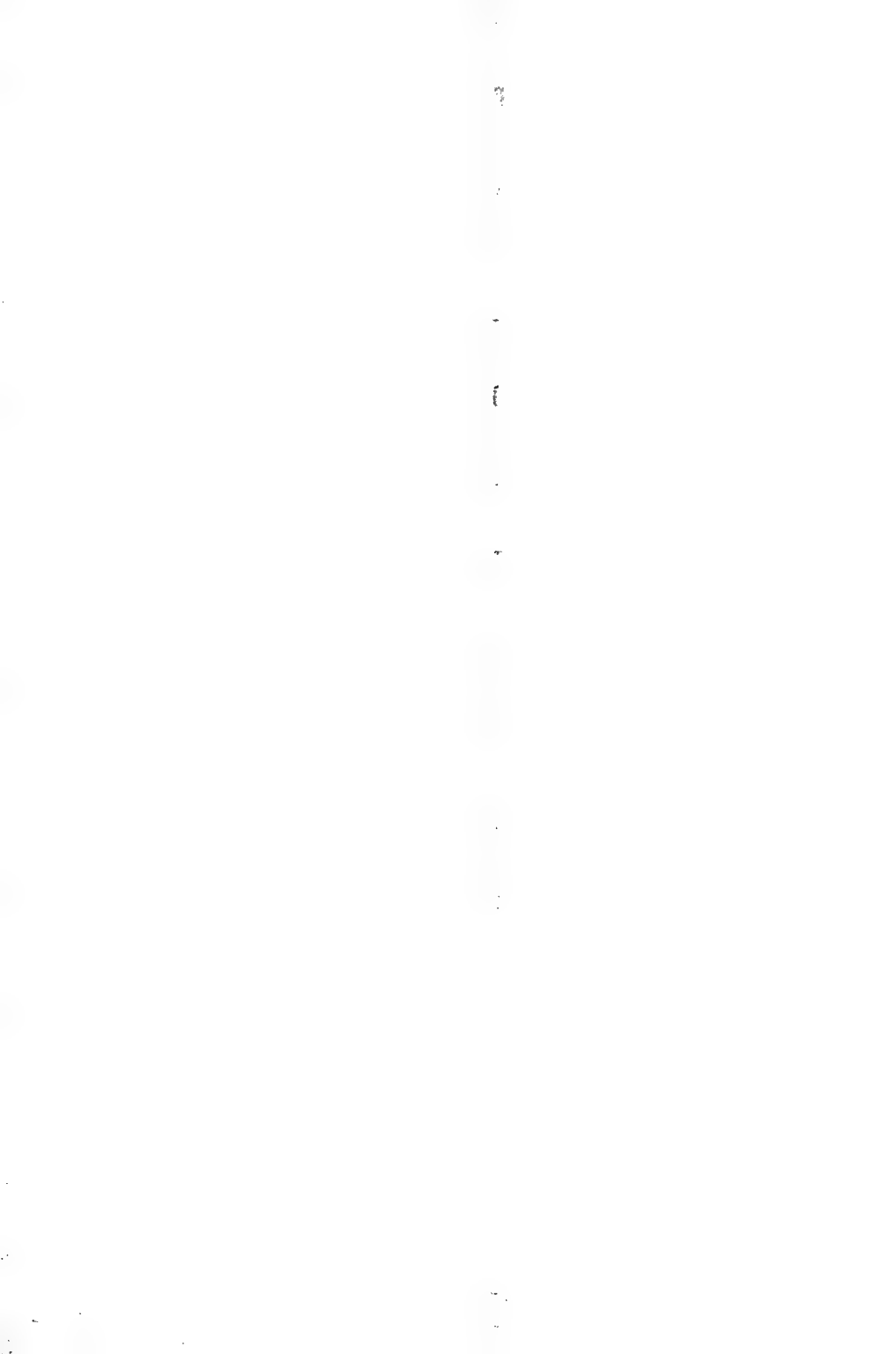
## A BILL

For an act making an appropriation to renew gates in and improvements on  
the Henry and Copperas creek locks.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That the sum of twenty-five thousand dollars  
3 (\$25,000) be and the same is hereby appropriated to the Canal Commissioners  
4 for the purpose of renewing gates in and making the necessary improve-  
5 ments on the Henry and Copperas creek locks.

§ 2. The money when appropriated shall be due and payable to the order  
2 of the Canal Commissioners for the purpose herein set forth, on the terms  
3 and in the manner now provided by law.



1. Introduced by Mr. Ferguson, April 8, 1891, and ordered to first reading.
2. First reading April 8, 1891, and referred to Committee on Judiciary.
3. Reported back April 22, 1891, passage recommended, and ordered to second reading.

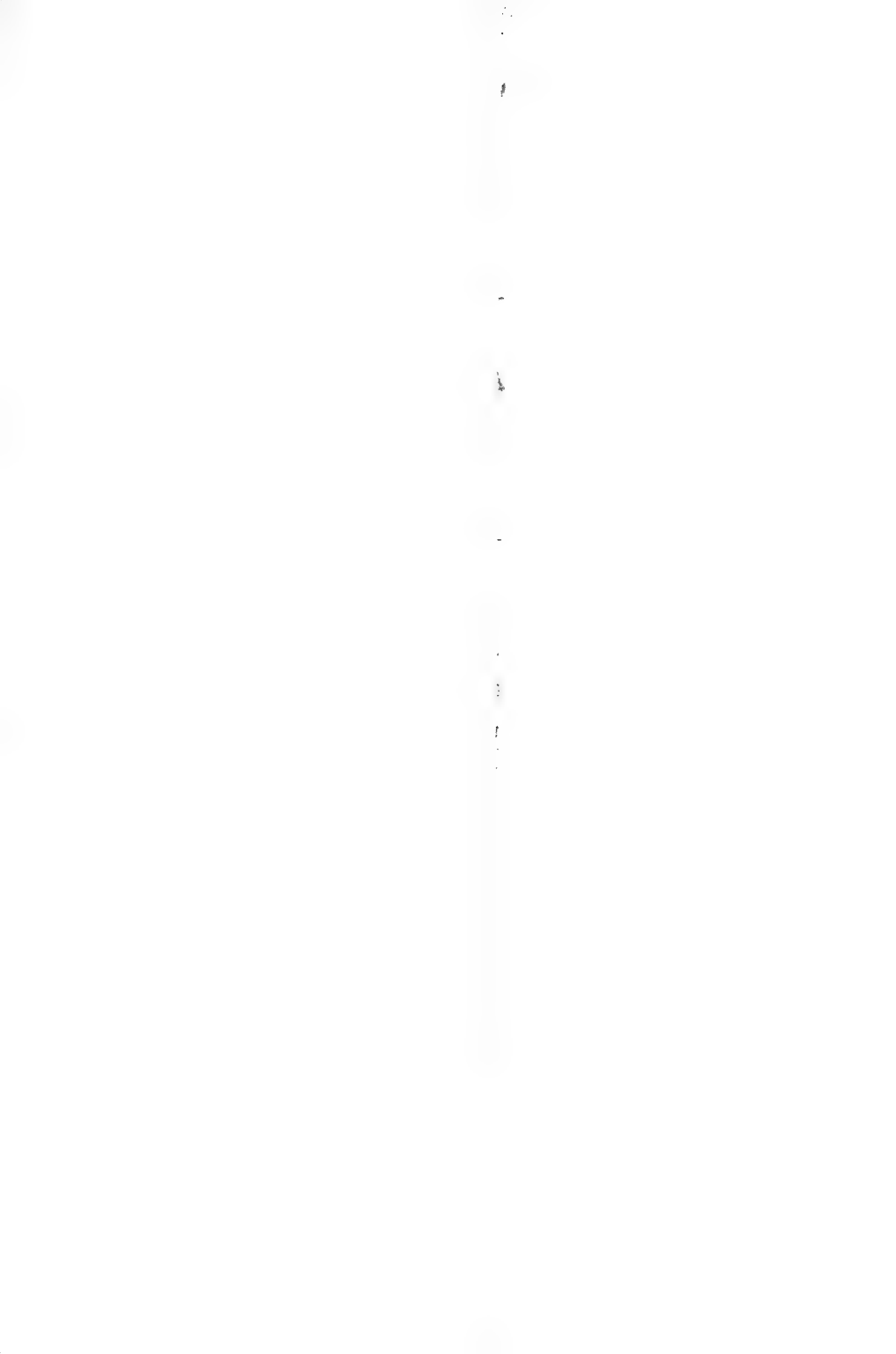
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## A BILL

For an act providing for the punishment of bailees for fraudulently taking or converting property bailed, and relating to indictments therefor.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever, being a bailee of any chattel, money or valuable security, shall fraudulently take or convert the same to his own use or to the use of any other person other than the owner thereof, although he shall not break bulk or otherwise determine the bailment, shall be guilty of larceny, and may be convicted thereof upon an indictment for larceny.



1. Introduced by Committee on Waterways and Drainage April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, passage recommended, and ordered to second reading.

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## A BILL

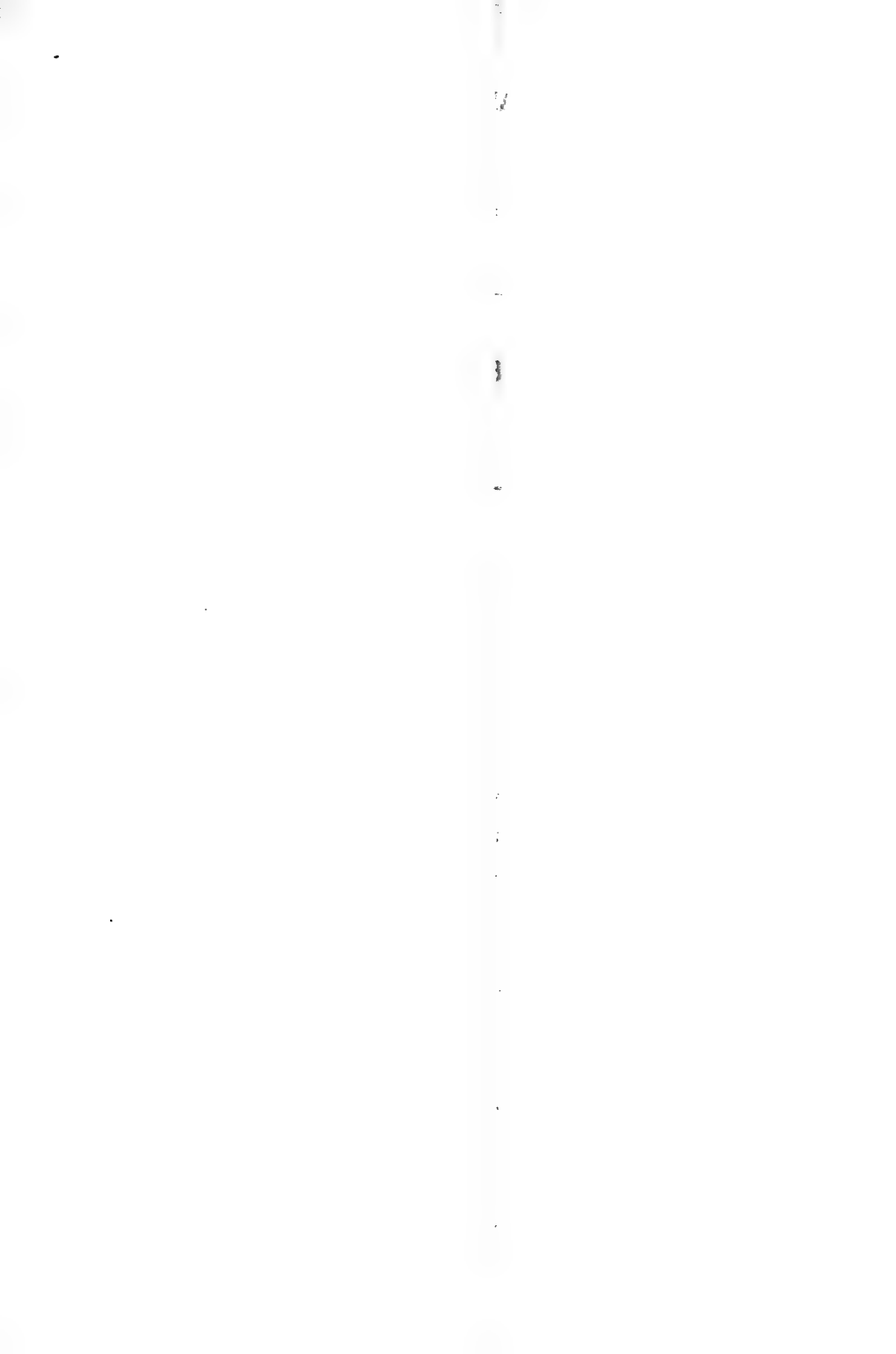
For an act to prevent and to remove obstructions in streams and watercourses.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it is hereby made the duty of the owners of  
3 lands through which any stream or watercourse passes to keep the same  
4 within the boundaries of his or her land clear of logs, trees, timber, brush  
5 or other thing which prevents the free and unobstructed flow of water:  
6 *Provided,* this act shall not apply to dams built and used for manufactur-  
7 ing or navigation purposes. It shall be the duty of the county boards of  
8 each county in this State, upon information that a drift or obstruction has  
9 formed in any stream or watercourse in its county, to give notice in  
10 writing to the owner or owners of the lands upon which such drift or ob-  
11 struction is, situated to remove the same within ninety days from the date of the  
12 service of such notice. Such notice shall describe the lands on which such  
13 drift or obstruction is situated, and shall be served in like manner as ser-  
14 vice is now had in chancery cases. If such owner or owners are non resi-  
15 dents, then such notice shall be served by mailing a copy thereof to such  
16 owner or owners at his or her last known postoffice address.

§ 2. If such owner or owners shall fail to remove such drift or obstruc-  
2 tion within one hundred days from the date of such service, it shall be the





1. Introduced by Committee on Waterways and Drainage April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, passage recommended and ordered to second reading.
3. Second reading April 17, 1891, amended and ordered to third reading.

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## A BILL

For an act to prevent and to remove obstructions in streams and watercourses.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it is hereby made the duty of the owners of  
3 lands through which any stream or watercourse passes to keep the same  
4 within the boundaries of his or her land clear of logs, trees, timber, brush  
5 or other thing which prevents the free and unobstructed flow of water:  
6 *Provided,* this act shall not apply to dams built and used for manufactur-  
7 ing or navigation purposes or water gates when so constructed as to allow  
8 the passage of logs and other substances floating in such stream. It shall  
9 be the duty of the county boards of each county in this State, upon in-  
10 formation that a drift or obstruction has formed in any stream or water-  
11 course in its county, to give notice in writing to the owner or owners of  
12 the lands upon which such drift or obstruction is situated to remove the  
13 same within one hundred days from the date of the service of such notice.  
14 Such notice shall describe the lands on which such drift or obstruction is  
15 situated, and shall be served in like manner as service is now had in  
16 chancery cases. If such owner or owners are non-residents, then such notice  
17 shall be served by mailing a copy thereof to such owner or owners at his  
18 or her last known postoffice address.

§ 2. If such owner or owners shall fail to remove such drift or obstruction within one hundred days from the date of such service, it shall be the duty of said county board to remove or cause the same to be removed, keeping an account of the actual costs and expenses of so doing, and such county shall be entitled to sue and recover from such owner or owners in any court of competent jurisdiction, in action of debt, double the amount so expended, with costs of suit: *Provided*, sections 1 and 2 of this act shall not apply to drifts or obstructions existing at the time this act takes effect, or to obstructions caused by the casting of driftwood into creeks or streams by navigable rivers.

§ 3. For the purpose of assisting in removing drifts or obstructions existing in any stream or watercourse at the time this act takes effect the county board may, when the finance of the county is such as to justify it, and when the public good requires it, appropriate and pay from the county treasury a sum not to exceed one-half the actual cost of removing such drift or obstruction.

1. Introduced by Committee on Judiciary, April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, passage recommended and ordered to second reading.

---

## A BILL

For an act to protect trade and commerce against unlawful restraints and monopolies.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That if any corporation organized under the laws of this or any other State or country, for transacting or conducting any kind of business in this State, or any partnership, persons or association of persons whosoever, shall create, enter into, become a member of or a party to any pool, trust, agreement, combination, confederation or understanding with any other corporation, partnership, person or association of persons to regulate or fix the price of any article of merchandise or commodity, or shall enter into, become a member of or a party to any pool, agreement, contract, combination, or confederation to fix or limit the amount or quantity of any article, commodity or merchandise to be manufactured, mined, produced or sold in this State, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five thousand dollars or by imprisonment in the county jail not exceeding one year, or both, in the discretion of the court.

§ 2. It shall not be lawful for any corporation to issue or to own trust certificates, or for any corporation, agent, officer or employee or the directors

8 or stockholders of any corporation, to enter into any combination, contract  
 4 or agreement with any person or persons, corporation or corporations, or  
 5 with any stockholder or director thereof, the purpose and effect of which  
 6 combination, contract or agreement shall be to place the management or  
 7 control of such combination or combinations, or the manufactured  
 8 product thereof, in the hands of any trustee or trustees with the intent  
 9 to limit or fix the price or lessen the production and sale of any article of  
 10 commerce, use or consumption, or to prevent, restrict or diminish the manu-  
 11 facture or output of any such article.

§ 3. If a corporation or a company, firm or association shall be found  
 2 guilty of a violation of section 2 of this act it shall be punished by fine  
 3 not exceeding five thousand dollars. Any president, manager, director or  
 4 other officer or agent or receiver of any corporation, company, firm or  
 5 association, or any individual found guilty of a violation of the first section  
 6 of this act, shall be punished by fine not exceeding five thousand dollars or  
 7 imprisoned in the county jail not exceeding one year, or both, in the dis-  
 8 cretion of the court.

§ 4. Any contract or agreement made in violation of any provision of  
 2 the preceding sections of this act shall be absolutely void.

§ 5. Any corporation created or organized by or under the laws of this  
 2 State which shall be found guilty of a violation of either of the preceding  
 3 sections of this act shall therefor forfeit its corporate right and franchises, its  
 4 corporate existence shall thereupon cease and determine, and the court  
 5 trying cause shall so find and adjudge.

§ 6. Any person, company or corporation who shall be injured in his or  
 2 its business or property by any other person, company or corporation by  
 3 reason of anything forbidden or declared to be unlawful by this act may  
 sue therefor and recover three fold the damages by him sustained and  
 5 cost of suit, including a reasonable attorney's fee.

§ 7. The fine or imprisonment mentioned in this act may be enforced by  
2 indictment or information, or the fines herein mentioned may be sued for  
3 and recovered in action of debt, in any court of competent jurisdiction, in  
4 the name of the People of the State of Illinois. It is hereby made the duty  
5 of the Attorney General or State's attorney of the proper county to enforce  
6 the provisions of this act, and in case of suit for fine and judgment be for  
7 plaintiff the court shall allow a reasonable attorney fee, to be taxed as cost  
8 in the case. Such judgment when collected shall be paid into the county  
9 treasury of the county where such suit is had, and become part of the  
10 general revenue fund.



1. Introduced by Committee on Judiciary April 9, 1891, and ordered to first reading.
  2. First reading April 9, 1891, passage recommended and ordered to second reading.
  3. Second reading April 16, 1891, amended and ordered to a third reading.
- 

## A BILL

For an act to protect trade and commerce against unlawful restraints and monopolies.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That if any corporation organized under the laws  
3 of this or any other State or county, for transacting or conducting any  
4 kind of business in this State, or any partnership, persons or association of  
5 persons whosoever, shall create, enter into, become a member of or a party  
6 to any pool, trust, agreement, combination, confederation or understanding  
7 with any other corporation, partnership, person or association of persons to  
8 regulate or fix the price of any article of merchandise or commodity, or  
9 shall enter into, become a member of or a party to any pool, agreement,  
10 contract, combination or confederation to fix or limit the amount or quantity  
11 of any article, commodity or merchandise to be manufactured, mined, pro-  
12 duced or sold in this State, shall be deemed guilty of a misdemeanor, and  
13 on conviction thereof shall be punished by a fine not exceeding five thou-  
14 sand dollars or by imprisonment in the county jail not exceeding one year,  
15 or both, in the discretion of the court.

§ 2. It shall not be lawful for any corporation to issue or to own trust

2 certificates, or for any corporation, agent, officer or employee or the directors  
3 or stockholders of any corporation, to enter into any combination, contract  
4 or agreement with any person or persons, corporation or corporations, or  
5 with any stockholder or director thereof, the purpose and effect of which  
6 combination, contract or agreement shall be to place the management or  
7 control of such combination or combinations, or the manufactured product  
8 thereof, in the hands of any trustee or trustees with the intent to limit or  
9 fix the price or lessen the production and sale of any article of commerce,  
10 use or consumption, or to prevent, restrict or diminish the manufacture or  
11 output of any such article.

§ 3. If a corporation or a company, firm or association shall be found  
2 guilty of a violation of section 2 of this act it shall be punished by fine  
3 not exceeding five thousand dollars. Any president, manager, director or  
4 other officer or agent or receiver of any corporation, company, firm or  
5 association, or any individual found guilty of a violation of the first section  
6 of this act shall be punished by fine not exceeding five thousand dollars or  
7 imprisoned in the county jail not exceeding one year, or both, in the dis-  
8 cretion of the court.

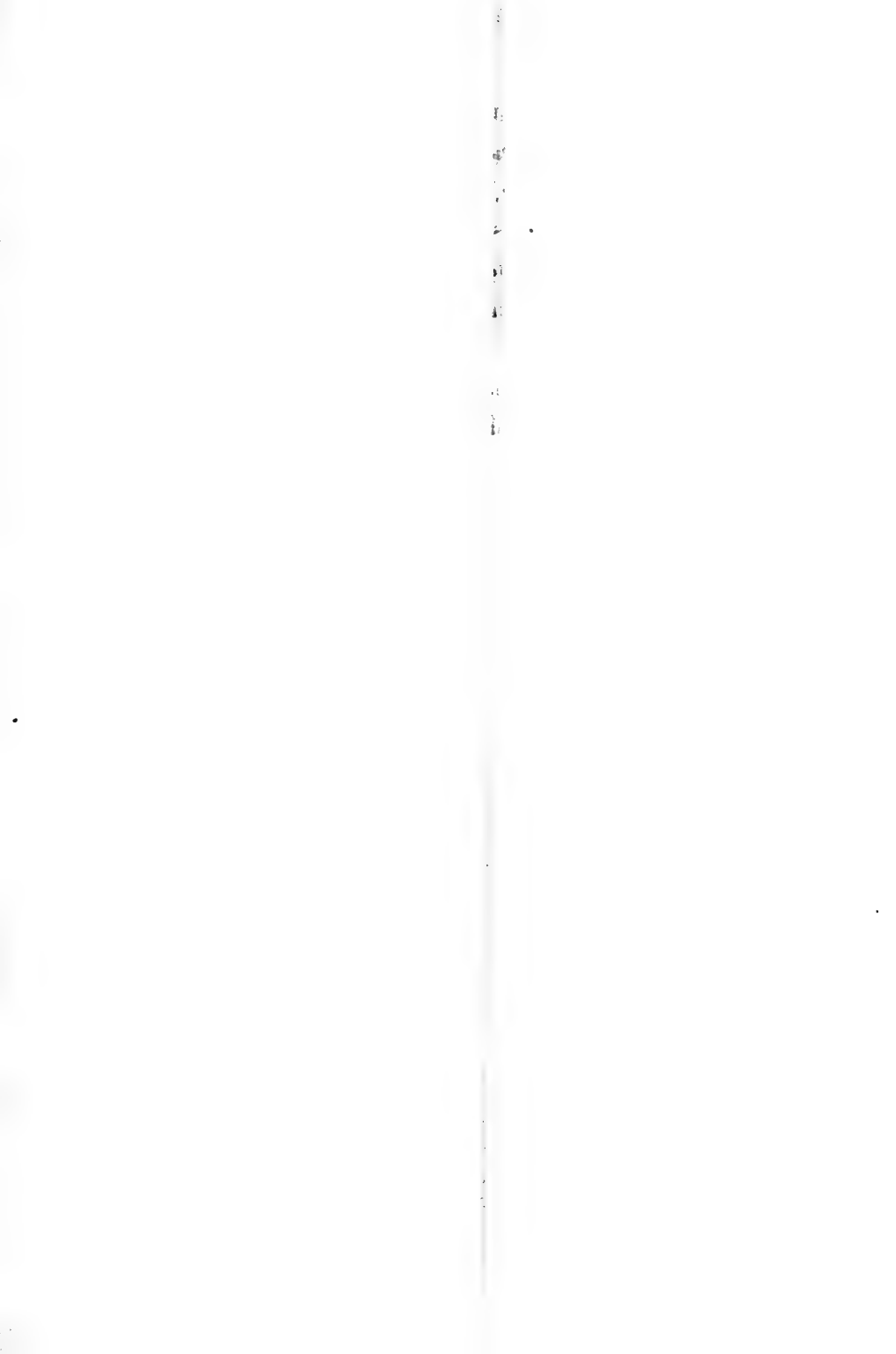
§ 4. Any contract or agreement made in violation of any provision of  
2 the preceding sections of this act shall be absolutely void.

§ 5. Any corporation created or organized by or under the laws of this  
2 State which shall be found guilty of a violation of either of the preceding  
3 sections of this act shall thereby forfeit its corporate right and franchises,  
4 its corporate existence shall thereupon cease and determine, and the court  
5 trying cause shall so find and adjudge.

§ 6. Any person, company or corporation who shall be injured in his or  
2 its business or property by any other person, company or corporation by  
3 reason of anything forbidden or declared to be unlawful by this act may  
4 sue therefor and recover three fold the damages by him sustained and cost  
5 of suit, including a reasonable attorney's fee.



§ 7. The fine or imprisonment mentioned in this act may be enforced by  
2 indictment or information, or the fines herein mentioned may be sued for  
3 and recovered in action of debt, in any court of competent jurisdiction, in  
4 the name of the People of the State of Illinois. It is hereby made the duty  
5 of the Attorney General or State's attorney of the proper county to enforce  
6 the provisions of this act, and in case of suit for fine and judgment be for  
7 plaintiff the court shall allow a reasonable attorney fee, to be taxed as cost  
8 in the case. Such judgment when collected shall be paid into the county  
9 treasury of the county where such suit is had, and become part of the  
10 general funds of said county.



1. Introduced by Mr. Reavill, April 9, 1891 and ordered to first reading.
2. First reading April 9, 1891 and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back April 15, 1891, passage recommended, and ordered to second reading.

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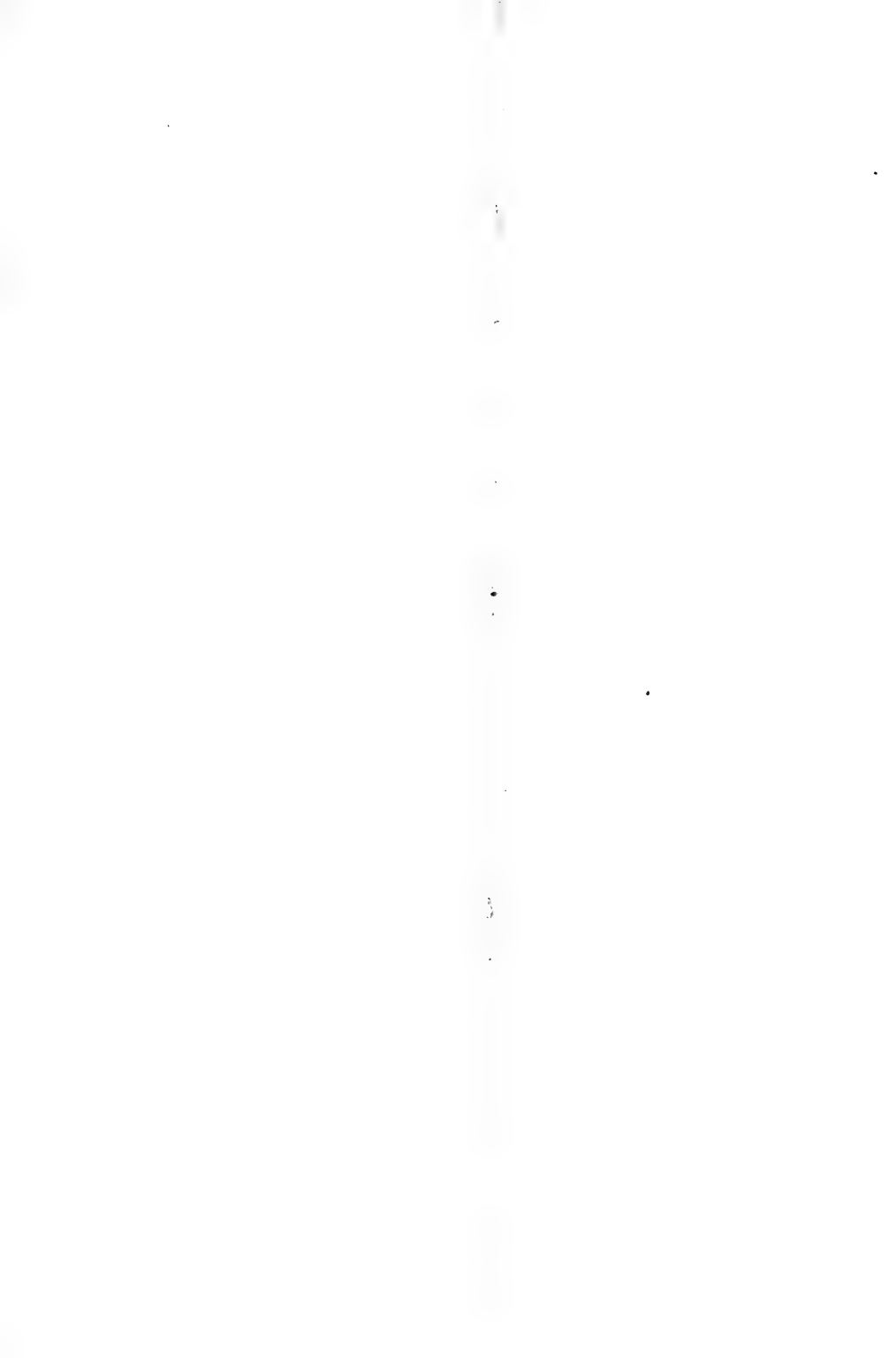
## A BILL

For an act to repeal an act entitled "An act to secure the collection and publication of agricultural and other statistics," approved and in force May 25, 1877.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), two (2), three (3) and four (4) of an act entitled "An act to secure the collection and publication of agricultural and other statistics," in force May 25, 1877, be and the same are hereby repealed.

§ 2. It is hereby declared that an emergency exists and therefore this act shall be in force from and after its passage.



1. Introduced by Mr. Bass April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections one (1) and three (3) as amended June 6, 1887, in force July 1, 1887, of an act entitled "An act to provide for fees of clerks of probate courts in counties of the third class," approved May 29, 1879, in force July 1, 1879.

*4/27* 711 1

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1) and three (3) of an act entitled "An act to provide for fees of clerks of probate courts in counties of the third class," approved May 29, 1879, in force July 1, 1879, be and the same is hereby amended so as to read as follows:

Section 1. That the clerks of probate courts in counties of the third class shall be entitled to receive the fees herein specified for the service mentioned, and such other fees as may be provided by law for other services not herein designated:

For taking proof of last will and testament, or codicil, when proved separately, and endorsing certificate of probate thereon, and for entering order admitting to probate last will and testament, or codicil, and granting letters testamentary, \$7.

For granting letters of administration, guardianship or conservatorship, \$5.

For filing for any purpose, 25 cents.

- 11 For taking and approving bond of executor or administrator, guardian,
- 12 conservator, or any other bond required by law to be taken, \$1.
- 13 For certified copy of letters testamentary of administration, of guardian-
- 14 ship or conservatorship, \$1.
- 15 And in addition thereto, 15 cents for each one hundred words contained
- 16 in said will or codicil.
- 17 For issuing warrant to appraisers, \$1.
- 18 For taking and filing renunciation of executor or of right to administer,
- 19 50 cents.
- 20 For filing and docketing each claim against estates, and for entering order
- 21 allowing or dismissing same, \$1.50.
- 22 For entering order reinstating or refileing or redocketing each claim, \$1.50.
- 23 For filing and docketing proof of notice for adjustment of claims, \$1.
- 24 For filing and docketing assignment of claims or judgment, \$1.
- 25 On petition for appointment of conservator, and petition for sale of real
- 26 estate by executor, administrator, guardian, or conservator, docketing and
- 27 filing the same, a docket fee of \$6.
- 28 For each cause tried by jury a jury fee of \$3 to be prepaid by the party
- 29 calling for the jury: and in case of an application for appointment of a con-
- 30 servator, when a conservator is appointed, to be taxed against the estate of
- 31 the person for whom the conservator is appointed: and in case of a claim,
- 32 the costs to be taxed against the unsuccessful party, and collected as other
- 33 taxed costs.
- 34 For entering order, docketing, filing and issuing citation, \$1.
- 35 For issuing and filing subpoena, 25 cents.
- 36 For issuing dedimus potestaem, \$1.
- 37 For issuing, docketing and filing executions, \$1.
- 38 For proof of heirship, \$1.
- 39 For writ of attachment for contempt of court, \$1.

40 For every certificate under seal of court issued by clerk, except as herein  
41 otherwise provided, 50 cents.

42 For discharge of executors, administrators, guardians, or conservators, or  
43 any sureties on their bonds, \$2.50.

44 For entering any order not herein otherwise provided for, 75 cents.

45 For issuing summons and filing same, 75 cents.

46 For administering each oath, 15 cents.

47 For recording all papers, instruments, documents and writings required by  
48 law or order of court to be recorded, for each one hundred words, 15 cents.

49 On application for the grant of letters testamentary, of administration,  
50 guardianship or conservatorship, it shall be the duty of the applicant to  
51 state in his or her petition the value of all the real and personal estate of  
52 such deceased person, infant, idiot, insane person, lunatic, distracted person,  
53 drunkard or spendthrift, as the case may be, and on the grant of letters  
54 testamentary, administration, guardianship or conservatorship, there shall  
55 be paid to the clerk of said probate court, from the proper estate, and  
56 charged as costs, a docket fee as follows:

57 When the estate does not exceed \$5,000, \$5.

58 And the sum of one (1) dollar for each and every additional \$1,000 of the  
59 estate of such deceased person, infant, idiot, insane person, lunatic, dis-  
60 tracted person, drunkard or spendthrift, as the case may be.

61 In all cases where any deceased person shall leave him or her surviving  
62 a widow or children resident of this State, who are entitled out of said  
63 estate to a widow's or child's award, and the entire estate real and personal  
64 of such deceased person shall not exceed \$1,000, and in the case of any minor  
65 whose estate real and personal does not exceed the sum of \$1,000, and  
66 whose father is dead, and in all cases of any idiot, insane person, lunatic,  
67 or a distracted person, drunkard or spendthrift, when such person has a  
68 wife or infant child dependent on such person for support, and the entire

69 estate of such person shall not exceed the sum of \$2,000, the probate judge  
70 (by order of court) shall remit and ~~release~~ to such estate all of the costs  
71 herein provided for.

72 In all estates not exceeding \$500 in value, the judge of the probate court  
73 may in his discretion suspend, modify or remit the costs by order of court  
74 duly made.

Section 3. All acts or parts of acts in conflict with this act are hereby  
2 repealed.



1. Introduced by Mr. Bass April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the connecting or extending of boulevards and pleasure drives by viaducts, bridges and subways.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the corporate authorities of cities, villages  
3 and incorporated towns are authorized to connect or extend any boulevards  
4 or pleasure drives whether under their control or that of other authorities  
5 by viaducts or subways constructed over or under any public street or  
6 alley, either across the same or along any portion thereof or over or under  
7 any railroad or any public or private property, or across any rivers or  
8 canals by subways under or bridges over the same.

§ 2. The cost of constructing such viaducts, bridges and subways, and  
2 when the same is constructed over or under any private property, the cost  
3 of ascertaining and making just compensation for the damages, if any  
4 thereto, shall be met and provided for in accordance with article nine (9) of  
5 an act of the General Assembly entitled "An act to provide for the incor-  
6 poration of cities and villages," approved April 10, 1872, and in force July 1,  
7 1872, and all amendments thereto.

§ 3. Said corporate authorities may by ordinance regulate, restrain and  
2 control the speed of travel upon said viaducts, bridges or subways, and

3 prescribe the kind of vehicles that shall be allowed upon the same, and in  
4 all things may regulate, restrain and control the use of said viaducts,  
5 bridges and subways by the public or individuals, and may exclude there-  
6 from funeral processions, hearses and traffic teams and vehicles so as to free  
7 the same from any and all business traffic or objectionable travel and make  
8 the same a pleasure driveway for pleasure driving only, and may prescribe  
9 in such ordinances such fines and penalties for the violation thereof as  
10 they are allowed by law to prescribe for the violation of other ordinances.

§ 4. Whenever the said boulevards or pleasure drives connected or ex-  
2 tended by viaducts, bridges or subways, as aforesaid, are under the charge  
3 or control of any board of park commissioners, the said corporate authori-  
4 ties may on the completion thereof turn them over to such board to be  
5 maintained and controlled in the same manner as the boulevards and pleas-  
6 ure drives they connect or extend, and when two boulevards or pleasure  
7 drives are connected as aforesaid, each of which is under the control of a  
8 different park board, the said corporate authorities shall designate in the  
9 ordinance by which they turn over the viaduct, bridge or subway connect-  
10 ing the same, which board shall have charge of and maintain the said  
11 viaduct, bridge or subway or may by such ordinance turn over different  
12 portions thereof to each of said boards to be controlled and maintained in  
13 same manner as the boulevards or pleasure drives already under their con-  
14 trol and management.

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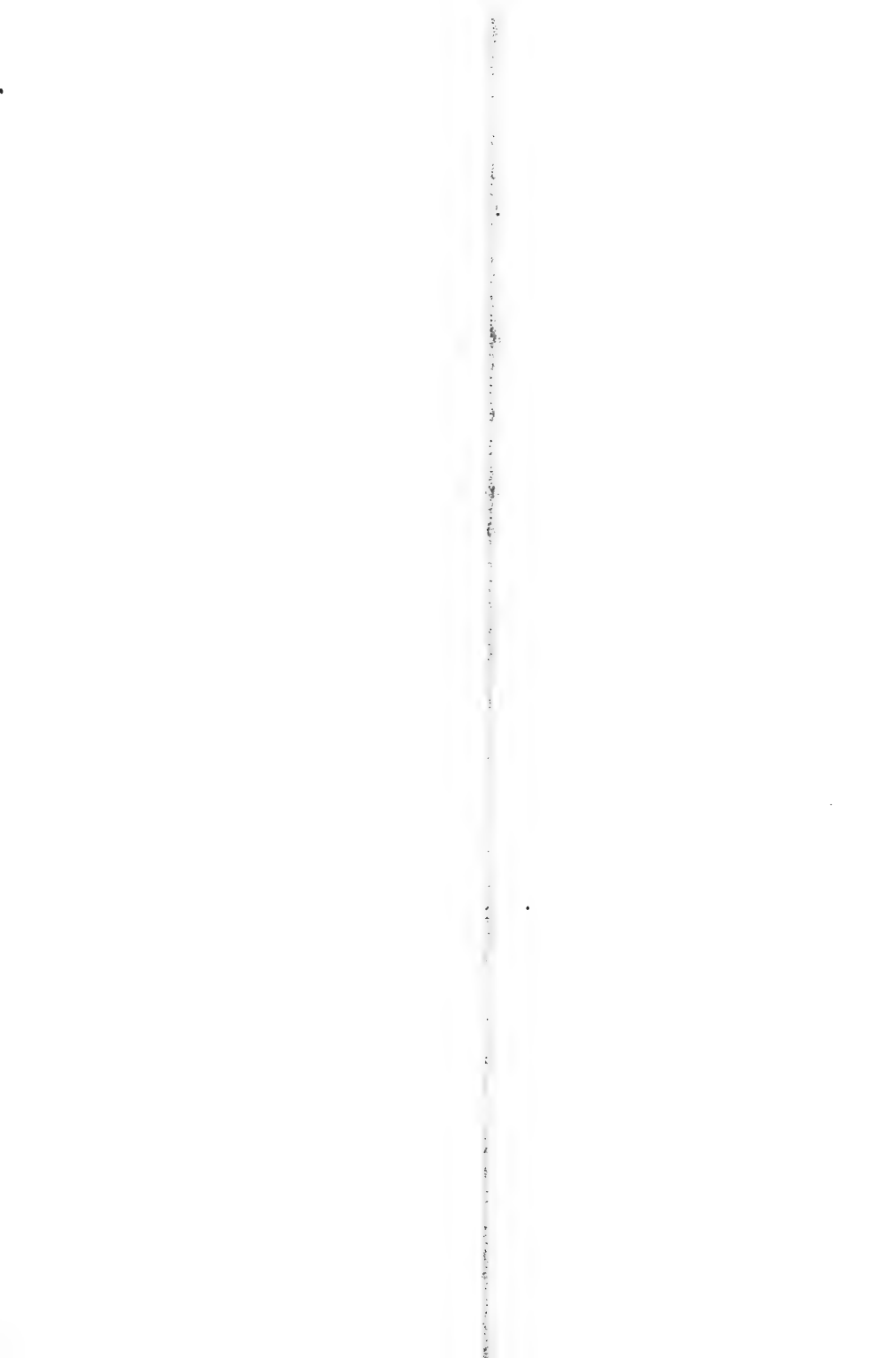
**AMENDMENTS TO SENATE BILL No. 303--IN HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 by striking out all of lines 7 and 8 of the printed bill.

2. Amend section 1 by striking out in line 17 of the printed bill the words "twenty-five hundred dollars," and insert the words "fifteen hundred dollars" in place thereof.



1. Introduced by Mr. Fuller April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, and referred to Committee on Insurance.
3. Reported back April 16, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to govern fire, marine and inland navigation insurance companies, organized under or incorporated by the laws of any other State of the United States, doing business in the State of Illinois.

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### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall not be lawful for any insurance com-  
3 pany or association incorporated by or organized under the laws of any other  
4 State of the United States other than companies organized and doing busi-  
5 ness on the purely mutual plan, and joint stock companies of the character  
6 now authorized to transact a fire insurance business in this State, to make  
7 insurance against loss or damage by fire, lightning or tornadoes, or the  
8 risks of inland navigation and transportation, or to take risks or transact  
9 any business of insurance in this State unless it is possessed over and  
10 above all liabilities of cash capital, or investments in securities authorized  
11 by the general insurance law, or moneys received in advance for premiums,  
12 or a cash surplus of at least two hundred thousand dollars.

§ 2. Any insurance company or association, incorporated by or organized  
2 under the laws of any other State of the United States, which is possessed  
3 over and above all liabilities of cash capital, or investments in securities  
4 authorized by the general insurance law, or moneys received in advance for

5 premiums, or a cash surplus of at least two hundred thousand dollars, and  
6 which has otherwise complied with all the provisions of the laws of this  
7 State for the government of fire, marine and inland navigation insurance  
8 companies doing business in this State, except as modified, governed and  
9 controlled by this act, may be licensed to make insurance against loss or  
10 damage by fire, lightning or tornadoes ~~or~~ the risks of inland navigation  
11 and transportation, and to take risks and transact any business of fire in-  
12 surance in this State, subject to all the conditions and provisions of the  
13 general insurance laws not inconsistent herewith.

1. Introduced by Mr. O'Connor April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, and referred to Committee on Canals and Rivers.
3. Reported back April 16, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section eight (8) of an "Act to revise the law in relation to the Illinois and Michigan canal and for the improvement of the Illinois and Little Wabash rivers," approved March 27, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 8 of an "Act to revise the law in re-  
3 lation to the Illinois and Michigan canal and for the improvement of the  
4 Illinois and Little Wabash rivers," approved March 27, 1874, in force July 1,  
5 1874, be, and the same is, hereby amended so as to read as follows:

Section 8. Said commissioners shall have control and management of the  
2 Illinois and Michigan canal, including its feeders, basins and appurtenances,  
3 and the property thereto belonging, and all locks and dams and other im-  
4 provements of the navigation of the Illinois and Little Wabash rivers, and  
5 shall have authority

6 1. To appoint a general superintendent, collectors of tolls, and such other  
7 officers and agents as may be necessary for the management of the said  
8 canal, locks, dams and other improvements and prescribe their compensa-  
9 tion, powers and duties, and remove them at pleasure, and may employ all

10 such agents and servants as may be necessary in the performance of the  
11 duties of their office.

12 2. To prescribe reasonable rules and regulations in respect to all matters  
13 connected with the navigation and use of the said canal, locks and dams,  
14 and transportation on or through the same; and whoever shall willfully or  
15 negligently refuse or neglect to comply with such rules may be fined in any  
16 sum not exceeding \$50 for each offense, to be recovered in the name of the  
17 People of the State of Illinois before any justice of the peace of the county  
18 and paid over to said commissioners, and said commissioners may prohibit  
19 all persons who willfully refuse or neglect to comply with such rules from  
20 using said canals, locks and dams. Printed copies of such rules and of this  
21 article shall be posted for public inspection in the offices of the collectors  
22 of tolls. The power granted in this article shall apply as well to that part  
23 of the south branch of the Chicago river within one thousand feet of the  
24 lock at Bridgeport, and to the canal basin at or near the termination of  
25 the canal on the Illinois river, and to that part of the Illinois and Little  
26 Wabash rivers above and below the several locks and dams within one  
27 thousand feet thereof, and to all feeders, basins and laterals as to the canal,  
28 locks and dams.

29 3. To establish and collect reasonable rates of toll for the passage and  
30 use of the said canal and the said locks: *Provided*, that the use of the said  
31 canal and locks shall be free for the transportation of any property of the  
32 United States, or persons in their service passing through the same.

33 4. To sell and dispose of any machinery, fixtures, stone, debris, material  
34 or personal property unnecessary for the proper management, construction,  
35 repair or use of said canals, locks, dams or other improvements.

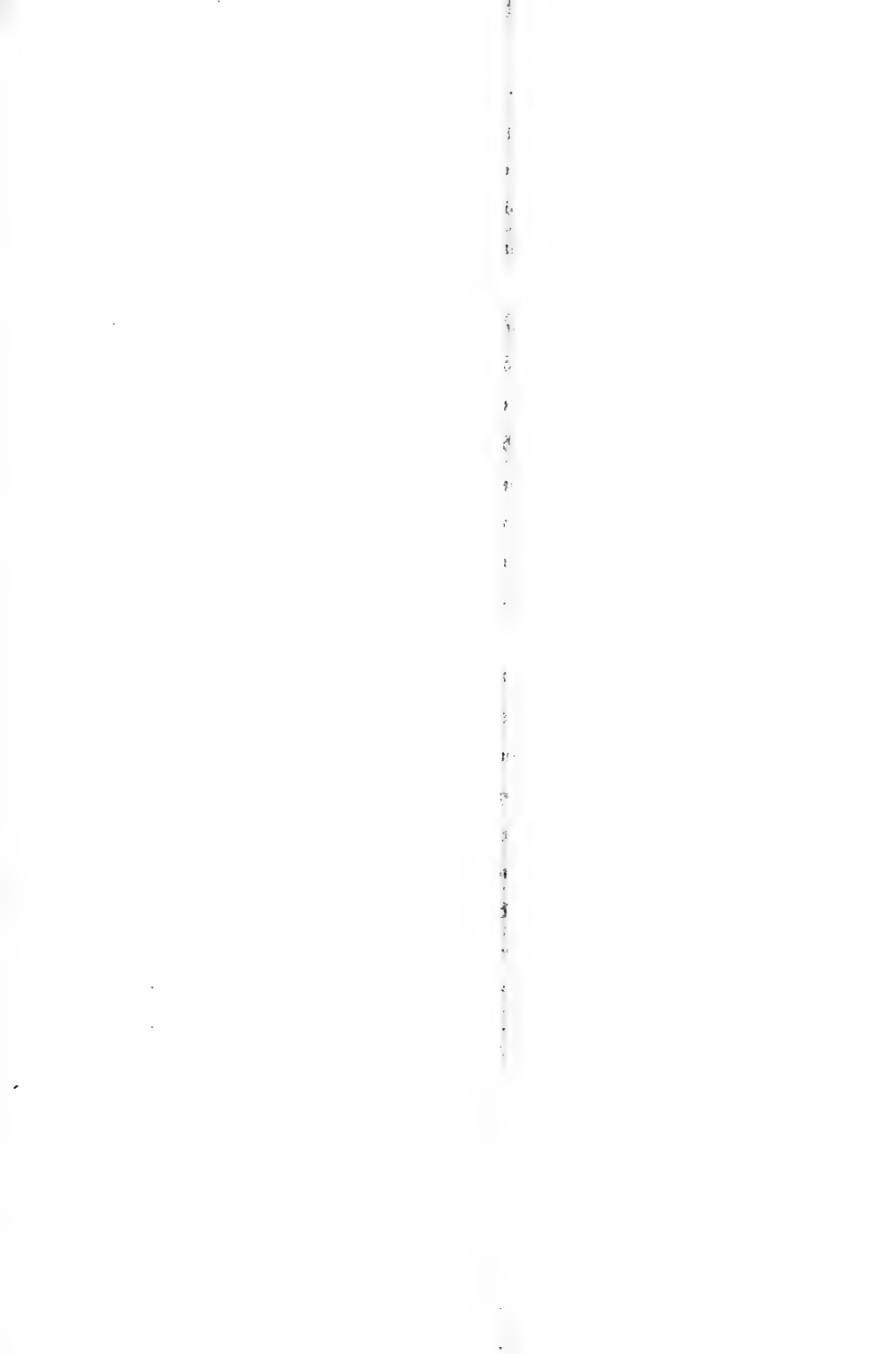
36 5. To lease from time to time any of the canal lands or lots owned by the  
37 State: *Provided*, no lease shall be for a period exceeding twenty years.

38 6. To lease from time to time, to the highest bidder thereof, any water



39 power and lands or lots connected therewith. Before any such lease shall  
40 be made, at least thirty days' public notice of the intended letting shall be  
41 given by publication in some newspaper published in the neighborhood, and  
42 such other notice as the commissioners shall deem best. The commissioners  
43 shall have power to require that bids be accompanied by security, and may  
44 reject all bids not satisfactory to them and re-advertise until they shall re-  
45 ceive satisfactory bids. No lease shall be for a period exceeding ten years,  
46 but the commissioners may provide for the extension of any lease from time  
47 to time, not exceeding ten years at any one time, at a rent to be fixed by  
48 an appraisal, to be made by three disinterested appraisers to be appointed  
49 by the Governor, and such appraisal shall be subject to the approval of the  
50 commissioners. All leases of water power and extensions thereof shall be  
51 subject to the right of the commissioners to resume, without compensation  
52 to the lessee, the use of any such water power for the purpose of the canal,  
53 and also wholly to abandon or destroy the work by the construction of  
54 which the water privilege shall have been created, whenever, in the opinion  
55 of the legislature, such work shall cease to be advantageous to the State.

56 7. To lease from time to time to the highest and best bidder (after pub-  
57 lishing notice in some newspaper published in the county where the ice  
58 privilege to be leased may be), in sections not exceeding one thousand feet,  
59 lineal measure, upon such terms as not to interfere with the proper use and  
60 management of the canal, the right to take and harvest ice therefrom, or  
61 from any of its feeders, basins and appurtenances, and to prohibit all per-  
62 sons from taking and harvesting ice therefrom without such lease: *Pro-*  
63 *vided*, no such lease shall be for a longer time than twenty years.



1. Introduced by Mr. Caldwell, April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, and referred to Committee on Public Buildings and Grounds.
3. Reported back April 17, 1891, passage recommended and referred to Committee on Appropriations.
4. Reported back April 29, 1891, and ordered to second reading.

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## A BILL

For an act making an appropriation for improvements upon the State House grounds.

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### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the following sums of money are hereby ap-  
3 propriated out of any moneys in the State treasury not otherwise appropri-  
4 ated for making necessary improvements upon the State House grounds.  
5 The sums hereby appropriated to be expended by the Secretary of State as  
6 follows:

7 For Portland cement walk, eight feet wide and four inches thick, from  
8 the northeast corner of the Capitol building to the northeast corner of the  
9 State House grounds, six hundred and forty dollars (\$640); for cement stone  
10 gutter on one side of same, two hundred and eighty dollars (\$280).

11 For Portland cement walk, eight feet wide and four inches thick, from  
12 north front of Capitol building to Monroe street, two hundred and forty-  
13 five dollars (\$245).

14 Said Secretary of State shall not be bound absolutely by the estimates  
15 furnished, and when the appropriation exceeds the estimate in any item,  
16 the excess may be used in supplying any deficiencies that may occur in the

17 estimates in other items; but the total cost of the improvements herein au-  
18 thorized shall not be greater in the aggregate than the appropriation hereby  
19 made, nor shall any expense or liability be incurred by said Secretary of  
20 State beyond said sum.

§ 2. The said Secretary of State is hereby authorized to draw the money  
2 hereby appropriated, from time to time, as may be necessary, by presenting  
3 to the Auditor a requisition signed by the Secretary of State and approved  
4 by the Governor; and the Auditor is hereby authorized and directed to draw  
5 his warrant upon the Treasurer for the amount named in the requisition.

1. Introduced by Mr. Arnold, April 9, 1891, and ordered to first reading.
2. First reading April 9, 1891, and referred to Committee on Insurance.
3. Reported back April 16, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to regulate the liabilities of fire insurance companies.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That in all suits brought upon policies of insur-  
3 ance against loss or damage by fire, hereafter issued or renewed, the de-  
4 fendant shall not be permitted to deny that the property insured thereby  
5 was worth at the time of the issuing of the policy the full amount insured  
6 therein on said property; and in case of a total loss of the property in-  
7 sured, the measure of damage shall be the amount for which the same was  
8 insured, less whatever depreciation in value, below the amount for which  
9 the property is insured, the property may have sustained between the time  
10 of issuing the policy and the time of the loss; and the burden of proving  
11 such depreciation shall be upon the defendant. And in case of a partial  
12 loss the measure of damage shall be that portion of the value of the whole  
13 property insured, ascertained in the manner hereinafter prescribed, which  
14 the part injured or destroyed bears to the whole property insured.

§ 2. When fire insurance policies shall be hereafter issued or renewed by  
2 more than one company upon the same property, and suit shall be brought  
3 upon any of said policies, the defendant shall not be permitted to deny  
4 that the property insured was worth the aggregate of the several amounts

5 for which it was insured at the time the policy was issued or renewed  
6 thereon, unless fraud is shown on the part of the insured in obtaining such  
7 additional insurance. And in such suit the measure of damage shall be as  
8 provided in section one (1) of this act. *Provided*, that whatever depreciation  
9 in value below the amount for which the property is insured may be shown,  
10 as provided in section one (1) of this act, shall be deducted from the  
11 amount insured in each policy in the proportion which the amount insured  
12 in each such policy bears to the aggregate of all the amounts so insured on  
13 such property.

§ 3. This act shall apply only to real property insured.

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1. Introduced by Mr. Noonan, April 9, 1891, and ordered to first reading.
  2. First reading April 9, 1891, and referred to Committee on Appropriations.
  3. Reported back April 16, 1891, ~~passage~~ recommended and ordered to second reading.
- 

## A BILL

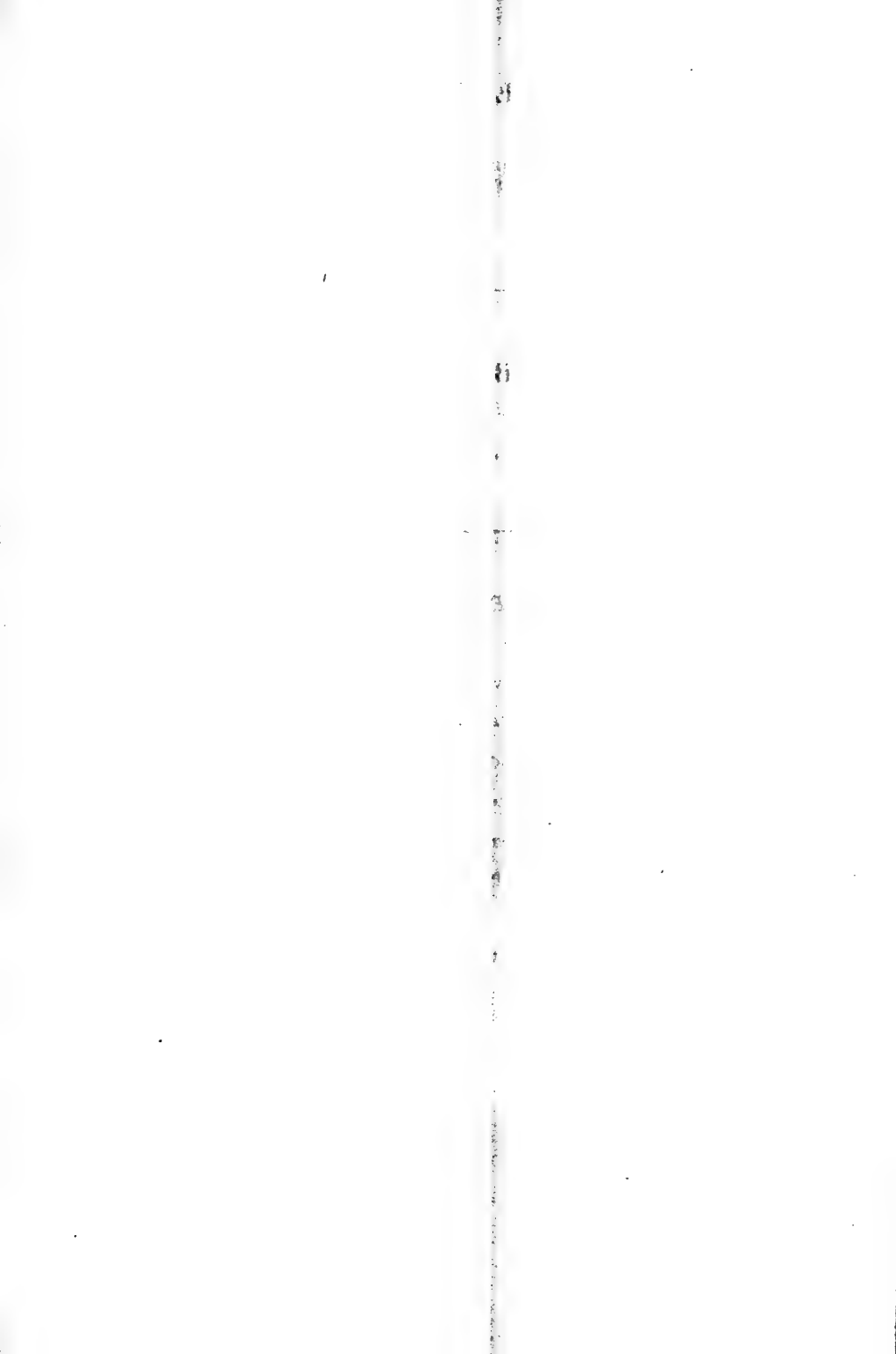
For an act making an appropriation for the Illinois Charitable Eye and Ear  
Infirmery at Chicago.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there is hereby appropriated to the Illinois  
3 Charitable Eye and Ear Infirmery at Chicago the sum of thirty-seven  
4 thousand five hundred dollars (\$37,500), or so much thereof as may be need-  
5 ed, for the purchase of the land and the five dwellings lying north of and  
6 adjoining the present location of the Infirmery. Said land being one hun-  
7 dred and twenty-five by one hundred and twenty-five feet, more or less, the  
8 title to be examined and approved by the Attorney General before warrant  
9 is drawn for the amount.

§ 2. The money herein appropriated shall be due and payable to the  
2 trustees or their order, only on the terms and in the manner now provided  
3 by law.





1. Introduced by Mr. Thomas April 10, 1891, and ordered to first reading.
2. First reading April 10, 1891, and referred to Committee on Judiciary.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act providing for making proof of handwriting in the trial of causes.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* In all cases where the genuineness of any signature  
3 or other writing is in dispute, comparison of the disputed writing with any  
4 writing proved to the satisfaction of the judge to be genuine, shall be per-  
5 mitted to be made by witnesses, and such writings and the testimony of  
6 witnesses respecting the same may be submitted to the court or jury as  
7 evidence of the genuineness or otherwise of the writing in dispute.



1. Introduced by Mr. Bassett April 10, 1891, and ordered to first reading.
2. First reading April 10, 1891, and referred to Committee on Appropriations.
3. Reported back May 21, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to make an appropriation to purchase the Illinois Supreme Court reports, for the Probate Court of Peoria county.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the sum of two thousand and seventy five dollars or so much thereof as is necessary, is hereby appropriated to purchase the Illinois Supreme Court reports, for the Probate Court of Peoria county.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the treasury in favor of the Probate Judge of Peoria county, for the sum herein appropriated and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.



1. Introduced by Mr. Chapman April 10, 1891, and ordered to first reading.
  2. First reading April 10, 1891, and referred to Committee on Insurance.
  3. Reported back April 10, 1891, and ordered to be printed for use of Committee.
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## A BILL

For an act to amend sections six (6), eight (8) and seventeen (17) of an act entitled

"An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity, or pecuniary benefits to the beneficiaries of deceased members, or accident or permanent disability indemnity to members thereof," title and act as amended by act approved June 16, 1887, in force July 1, 1887.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections six (6), eight (8) and seventeen (17) of an act entitled "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to the beneficiaries of deceased members, or accident or permanent disability indemnity to members thereof," title and act as amended by act approved June 16, 1887, in force July 1, 1887, be and the same are hereby amended so as to read as follows:

Section 6. Assessment notices sent to members or policy holders by any corporation, association or society transacting the business of assessment insurance in this State, shall truly state the object or objects for which the money to be collected is intended, and no part of the funds collected for

5 death or disability benefits shall be used for the payment of expenses, except  
 6 the expenses of collecting and defending such death or disability fund. And  
 7 if such corporation, association or society is not paying its death claims in  
 8 full to the maximum face value of its certificates or policies, it shall state  
 9 the names, last address and amount of certificates of the deceased members,  
 10 the amount to which the beneficiaries of each is entitled, or the amount  
 11 which would be realized for the beneficiaries if all the members who are  
 12 assessed would pay the assessment. An affidavit made by the officer,  
 13 book-keeper or clerk of such corporation, having charge of the mailing of  
 14 such notices, that such notice was mailed, stating the date and manner of  
 15 mailing, shall be proof of the mailing of such notice.

Section 8. All corporations, associations or societies transacting business  
 2 under the provisions of this act may provide by by-laws or contract for  
 3 the accumulation of a surplus, general or guarantee fund, which may be  
 4 invested in the corporate name of the association or society, only in securi-  
 5 ties such as life insurance companies are permitted by the laws of this State  
 6 or in case of a foreign corporation of its home State to invest in. Such  
 7 funds when so set apart and so invested shall, with the increase thereof,  
 8 belong to such corporation, association or society, and not to the directors,  
 9 trustees, managers or officers thereof, and shall be used only for the pay-  
 10 ment of mortuary benefits or permanent disability claims without assess-  
 11 ment, or applied in payment of future assessments, or cash surrender value  
 12 not exceeding the amount which each member receiving such surrender  
 13 value shall have contributed to such surplus fund, or otherwise used for  
 14 the promotion of the object or objects for which said funds are specially  
 15 provided and set apart; and such use shall not be deemed or construed to  
 16 mean a profit, received by members, within the meaning of the statutes of  
 17 this State. Nothing in this act shall be deemed or construed to authorize the  
 18 payment to members of endowments or tontine profits, or to authorize the

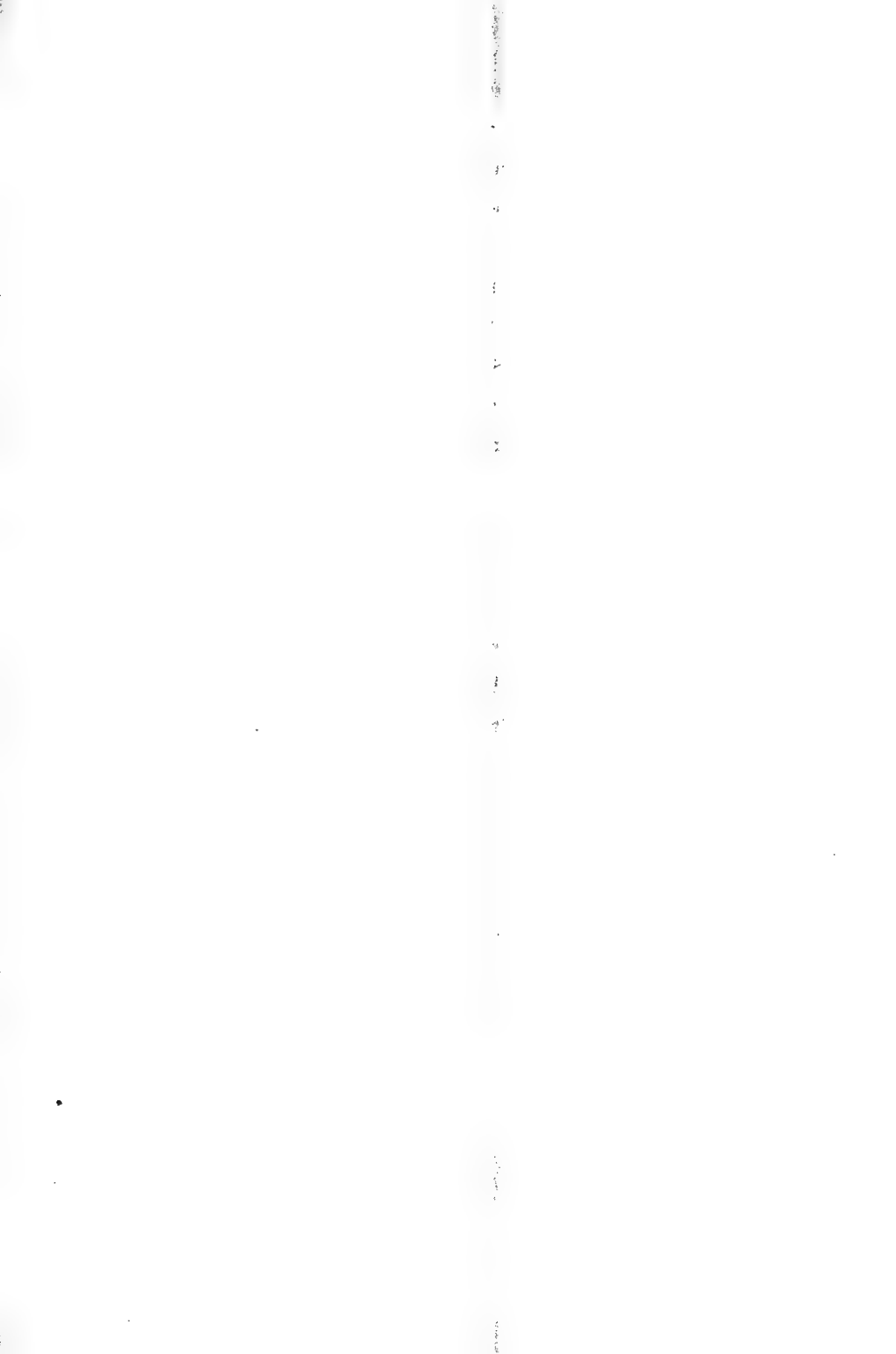
19 entering into contracts for the payment to members of specific sums at  
 20 specified times. Any such corporation, association or society incorporated  
 21 and doing business in this State may, in its discretion, through its officers  
 22 or trustees, deposit all or any part of its securities in which its emergency,  
 23 surplus, reserve or guarantee funds may be invested as provided by law  
 24 with the Auditor of Public Accounts, who shall give a certificate receipt-  
 25 ing for such deposit, and shall hold the same for the purposes for which  
 26 such funds were accumulated, in trust for the corporation so depositing  
 27 the same; and every corporation, association or society depositing such se-  
 28 curities shall have the right to receive the income thereof, and its board of  
 29 directors, trustees or managers shall have the right to exchange such se-  
 30 curities from time to time, and to withdraw the same after giving six  
 31 months notice to the said Auditor of their intent to do so. It shall be the  
 32 duty of the said Auditor upon receiving such notice to publish the same  
 33 four times in some newspaper of general circulation, published at the city  
 34 of Springfield, in this State, the expense of such publication to be borne  
 35 by the corporation, association or society giving the notice.

Section 17. Any corporation, association or society, organized under the  
 2 laws of any other State or government which is carrying on the business of  
 3 life, accident or permanent disability indemnity upon the assessment or  
 4 natural premium plan, under the laws of its home State or government,  
 5 which pays benefits only to such as have an insurable interest in the life  
 6 insured, shall, upon compliance with the provisions of this act, be licensed  
 7 by the Auditor of Public Accounts; and no such corporation, association or  
 8 society shall be permitted to transact business in this State until it shall  
 9 have been so licensed. Such corporation, association or society shall first  
 10 pay to the said Auditor a fee of \$25, deposit with the said Auditor a certi-  
 11 fied copy of its charter or articles of incorporation, a copy of its statement  
 12 of business for the preceding year, sworn to by its president and secretary,

13 or like officers, showing a detailed account of income and disbursements,  
14 the amount of life or accident indemnity in force, its assets and liabilities,  
15 in detail, number of members, and a certificate sworn to by its president  
16 and secretary, or like officers, setting forth that an ordinary assessment  
17 upon its members is sufficient to pay and that for twelve months prior  
18 thereto has paid its maximum certificates or policies to the full amount  
19 named therein, a certificate from the State official charged with the enforce-  
20 ment of the insurance laws, or, if there be no such official, a certificate from  
21 the Attorney General of its home State certifying that corporations, associa-  
22 tions or societies furnishing life or accident indemnity on the assessment or nat-  
23 ural premium plan and whose ordinary assessments are sufficient to pay their  
24 maximum certificates or policies in full and are chartered under and in accordance  
25 with the laws of this State, are legally entitled to do business in its home State,  
26 a copy of its policy or certificate of membership, its application and by-laws,  
27 which must together show that the payments to be made by members or policy  
28 holders are not limited to fixed premiums. And it shall legally designate a person  
29 or agent residing in this State to receive service of process for such cor-  
30 poration, or in default of such designation service of process may be made  
31 upon the Auditor of Public Accounts of Illinois, who shall be deemed its  
32 agent for that purpose, and he shall immediately notify any corporation  
33 thus served. The license herein provided for shall not be refused to any  
34 corporation, association or society complying with the above requirements,  
35 for the reason that its mode of incorporation or plan of organization or of  
36 doing business in its home State differs from that provided for similar  
37 corporations of this State, if it shall file with the Auditor of this State an  
38 agreement, executed by its proper officers, that such corporation, association  
39 or society will not enter into or issue within the State of Illinois any  
40 contract of insurance not permitted to similar corporations, associations or  
41 societies incorporated under the laws of this State. Any license herein



42 provided for shall be revoked by the Auditor of Public Accounts whenever,  
43 upon investigation, he is satisfied that such corporation is violating said  
44 agreement or is not paying or is not able to pay its maximum certificates  
45 or policies to the full limit named therein, or is not complying with the  
46 obligation imposed by this act. When any such license is revoked the  
47 Auditor shall give notice thereof to the President and Secretary of the  
48 corporation, and publish a notice thereof in a newspaper of general circula-  
49 tion published in the city of Springfield, and no new business shall be  
50 thereafter done by it or its agents in this State. When the laws or the  
51 rulings of the insurance department of any other State or county shall  
52 impose any obligation upon any such corporation of this State or its agents,  
53 the like obligation shall be imposed on similar corporations and their agents  
54 of such State or county doing business in this State. Secret societies having  
55 subordinate lodges or councils, organized for the purpose of furnishing life,  
56 accident or permanent disability indemnity on the assessment plan, and  
57 now permitted by the laws of this State to do business in this State, shall  
58 not be required to comply with the provisions of this act.



1. Introduced by Mr. Hunt, April 10, 1891, and ordered to first reading.
2. First reading April 10, 1891, and referred to Committee on Agriculture, Horticulture and Farm Drainage.
3. Reported back with amendments April 15, 1891, passage recommended, and ordered to second reading.
4. Second reading May 19, 1891, and action postponed for the purpose of amending.
5. Amended May 20, 1891, and ordered to third reading.

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## A BILL

For an act to amend section 41 of an act entitled "An act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 41 of an act entitled "An act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885, be and the same is hereby amended so as to read as follows:

Section 41. After the completion of the work the commissioners shall thereafter keep the same in repair; and if they find by reason of error in locating or constructing the ditches, or any of them, or from other causes the lands of the district are not drained or protected as contemplated, or some of them receive but partial or no benefit, they shall use the corporate funds of the district to carry out the original purpose to the end that all the lands so far as practicable shall receive their proper and equal benefits as contemplated when the lands were classified. If it be necessary to clear and enlarge natural or artificial channels lying beyond the boundaries of

10 the district to obtain a proper outlet, the commissioners shall use the cor-  
11 porate funds for this purpose, and if the necessary privileges cannot be ob-  
12 tained for this by agreement the commissioners may acquire the same by  
13 condemnation under the act for exercising the right of eminent domain:  
14 *Provided*, in all such cases, if sufficient funds are not on hand the commis-  
15 sioners shall make a new tax levy: *Provided further*, that if any land owner  
16 or other interested person or persons are not satisfied with such outlet as  
17 the commissioners deem sufficient, he or they shall have the right to appeal  
18 to the county court, and the same manner of appeal shall be taken as in  
19 appeals from assessments, and the decision of said county court shall be  
20 final and binding on said commissioners.

- 1. Introduced by Mr. Newell April 10, 1891, and ordered to first reading.
- 2. First reading April 10, 1891, and referred to Committee on Appropriations.
- 3. Referred back with amendments April 24, 1891, passage recommended and ordered to second reading.

A BILL

For an act to provide for the payment of certain amounts found to be due and owing by the commissioners of claims from the State of Illinois to certain persons herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That a sum not exceeding \$7,232 be and the same is hereby appropriated out of any money in the State treasury not otherwise appropriated to pay the amounts found to be due from the State of Illinois by the commission of claims at its sessions of 1889 and 1890, and that said money be paid as follows, to wit:*

Name.	Amount.
To Henry E. Weir.....	\$150 00
To J. S. and C. E. Hammett.....	350 00
To Daniel B. Weir.....	220 00
To Peter Thoma.....	1,000 00
To Frank D. Shafer.....	100 00
To Henry Fisher.....	263 00
To Nancy Myers.....	600 00
To Mathias Hoshier.....	350 00

16	To heirs of Greenbury L. Forts, deceased.....	\$2,466 00
17	To heirs of Henry L. Crane.....	133 00
18	To heirs of Wilhelm Klein.....	300 00
19	To Eliza A. Babb and Estella J. Babb.....	100 00
20	To heirs of James Seward, deceased.....	300 00
21	To Warner Combs.....	800 00
22	To Jacob Jones.....	100 00

§ 2. The said several sums hereby appropriated shall be in full satisfaction  
 2 of all matters claimed for by said claimants respectively in their several  
 3 statements of claims, as the same were filed with the Auditor of Public  
 4 Accounts and ex-officio clerk of said commission of claims; and the Auditor  
 5 shall issue his warrant on the State Treasurer for the amount herein to said  
 6 several claimants, or their legal representatives, and the State Treasurer is  
 7 hereby authorized to pay the same out of any money in the State treasury  
 8 not otherwise appropriated.

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PROPOSED AMENDMENTS ON SENATE BILL No. 315 BY THE COM-  
 MITTEE ON APPROPRIATIONS.

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1. Amend section 1 by inserting the word "heretofore" after the word  
 "amounts" in line 4.

2. Amend section 1 by striking the words "heirs of" wherever found in  
 bill and insert the words "legal representatives of" in lieu thereof.

1. Introduced by Mr. Newell, April 10, 1891, and ordered to first reading.
2. First reading April 10, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments April 24, 1891, passage recommended, and ordered to second reading.
4. Second reading April 29, 1891, amended and ordered to third reading.

## A BILL

For an act to provide for the payment of certain amounts found to be due and owing by the commissioners of claims from the State of Illinois to certain persons herein named.

**SECTION 1** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly,* That a sum not exceeding \$7,232.00 be and the same is hereby appropriated out of any money in the State treasury not otherwise appropriated, to pay the amounts heretofore found to be due from the State of Illinois by the commission of claims at its sessions of 1889 and 1890, and that said money be paid as follows, to-wit:

Name.	Amount.
To Henry E. Weir .....	\$150 00
To J. S. and C. E. Hammett.....	350 00
To Daniel B. Weir .....	220 00
To Peter Toennes .....	1,000 00
To Frank D. Shafer.....	100 00
To Henry Fisher .....	263 00
To Nancy Myers.....	600 00
To Mathias Hoshier.....	350 00
To legal representatives of Greenbury L. Fort (deceased).....	2,466 00

17	To legal representatives of Henry L. Crane .....	\$133 00
18	To legal representatives of Wilhelm Klein .....	300 00
19	To Eliza A. Babb and Estella J. Babb .....	100 00
20	To legal representatives of James Seward (deceased) .....	300 00
21	To Warner Combs .....	800 00
22	To Jacob Jones .....	100 00

§ 2. The said several sums hereby appropriated shall be in full satisfaction  
 of all matters claimed for by said claimants respectively in their several  
 statements of claims, as the same were filed with the Auditor of Public  
 Accounts and ex-officio clerk of said commission of claims; and the Auditor  
 shall issue his warrant on the State Treasurer for the amount herein to said  
 several claimants, or their legal representatives, and the State Treasurer is  
 hereby authorized to pay the same out of any money in the State treasury  
 not otherwise appropriated.



1. Introduced by Mr. Berry April 14, 1891, and ordered to first reading.
2. First reading April 14, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back April 23, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act concerning the compulsory education of children

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That every person having under his or her con-  
3 trol as parent, guardian or otherwise any child between the ages of seven  
4 and fourteen years, shall cause such child to attend some public or private  
5 day school at least sixteen weeks during each year, at least eight weeks of  
6 which attendance shall be consecutive, which time shall commence with  
7 the beginning of the first term of the public school year or as soon there-  
8 after as the person having control of such child shall be notified in writ-  
9 ing of his or her duty under this act. Every child attending any public  
10 or private school shall be taught reading, writing and the history of the  
11 United States in the English language. The provisions of this section  
12 shall not apply to any child that shall be otherwise instructed for a like  
13 period of time during each year, which time shall commence with the be-  
14 ginning of the first term of the public school year, in the branches of  
15 learning commonly taught in the public schools of this State, including  
16 reading and writing and the history of the United States in the English  
17 language, or to any child that has already acquired the branches of learn-  
18 ing commonly taught in the public schools of this State, including reading

19 and writing and the history of the United States in the English language.  
 20 or to any child whose physical or mental condition is such as to render his  
 21 or her attendance at school inexpedient, impracticable or unnecessary.  
 22 Every person who shall violate any of the provisions of this section shall  
 23 upon conviction thereof be fined in a sum not less than one nor more than  
 24 twenty dollars for each and every offense, and stand committed until fine  
 25 and costs are paid. Such fine shall be paid to the school treasurer of such  
 26 city or township: *Provided*, that if any church or other holiday shall occur  
 27 on any school day during the time when attendance at school is required  
 28 by this act, it shall be lawful for such child to be absent from school on  
 29 such holiday for the purpose of observing and keeping the same.

§ 2. It shall be the duty of the board of education in every city and  
 2 the board of school directors in every school district to appoint one or  
 3 more truant officers, whose duty it shall be carefully to inquire concerning  
 4 all supposed violations of this act, and to enter complaint against all per-  
 5 sons who shall appear to be guilty of such violation. It shall also be the  
 6 duty of said officer to apprehend children of a school-going age who habitu-  
 7 ally haunt public places and have no lawful occupation, and also truant  
 8 children who absent themselves from school without leave, and to place  
 9 them in charge of the teacher having charge of the public school which  
 10 the said children are by law entitled to attend, or such school as is desig-  
 11 nated by the parent of such child. And it shall be the duty of said  
 12 teacher to assign said children to the proper classes, and to instruct them  
 13 in such studies as they are fitted to pursue. Said truant officers shall  
 14 have such compensation for services rendered under this act as shall be  
 15 determined by the board of education or the board of directors appointing  
 16 such officer, which compensation shall be paid from the distributable school  
 17 fund.

§ 3. Any person having control of a child who, with intent to evade the

2 provisions of this act shall make a willful false statement concerning the  
3 age of such child or the time such child has attended school, shall for  
4 such offense forfeit a sum of not less than \$3 nor more than \$20 for the  
5 use of the public school fund of such city or district.

§ 4. Prosecutions under this act shall be instituted and carried on by  
2 authority of such boards, and be brought in the name of the People of the  
3 State of Illinois for the use of the school fund of said city or township.

§ 5. Police municipal courts, justices of the peace and judges of the  
2 county court shall have jurisdiction within their respective counties of the  
3 offenses described in this act.

§ 6. "An act concerning the education of children," approved May 24,  
2 1889, and in force July 1, 1889, is hereby repealed.



1. Introduced by Mr. Berry April 14, 1891, and ordered to first reading.
2. First reading April 14, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back April 23, 1891, passage recommended and ordered to a second reading.
4. Second reading May 27, 1891, amended and ordered to third reading.

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## A BILL

For an act concerning the compulsory education of children.

---

### **SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That every person having under his or her control  
3 as parent, guardian or otherwise any child between the ages of seven and  
4 fourteen years, shall cause such child to attend some public or private  
5 day school at least sixteen weeks during each year, at least eight weeks of  
6 which attendance shall be consecutive, which time shall commence not later  
7 than the first Monday of October in each year or as soon thereafter as the  
8 person having control of such child shall be notified in writing of his or  
9 her duty under this act. Every child attending any public or private  
10 school shall among other studies be taught reading, writing and the history  
11 of the United States in the English language. The provisions of this sec-  
12 tion shall not apply to any child that shall be otherwise instructed for a  
13 like period of time during each year, which time shall commence not later  
14 than the first Monday of October in each year, in the branches of learning  
15 commonly taught in the public schools of this State, including reading and  
16 writing and the history of the United States in the English language, or to  
17 any child that has already acquired the branches of learning commonly

18 taught in the public schools of this State, including reading and writing  
19 and the history of the United States in the English language, or to any  
20 child whose physical or mental condition is such as to render his or her  
21 attendance at school inexpedient, impracticable or unnecessary. Every  
22 person who shall violate any of the provisions of this section shall upon  
23 conviction thereof be fined in a sum not less than one nor more than  
24 twenty dollars for each and every offense, and stand committed until fine  
25 and costs are paid. Such fine shall be paid to the school treasurer of such  
26 city or township. The certificate of the superintendent or principal  
27 of any public or private school that any child is attending or has for at  
28 least sixteen weeks during the current year attended said school and that  
29 said child has been given, among other studies, instruction in reading,  
30 writing and the history of the United States in the English language, shall  
31 be *prima facie* evidence of such facts; any superintendent or principal of a  
32 school who, with intent to evade the provisions of this act, shall make a  
33 false statement concerning the time any child has attended the school under  
34 his charge, shall be fined for such offense not less than three dollars nor  
35 more than twenty dollars, for the use of the public school of the city or  
36 district in which the school under his charge is situated: *Provided*, that if  
37 any church or other holiday shall occur on any school day during the time  
38 when attendance at school is required by this act, it shall be lawful for  
39 such child to be absent from school on such holiday for the purpose of  
40 observing and keeping the same.

§ 2. It shall be the duty of the board of education in every city and  
2 the board of school directors in every school district to appoint one or  
3 more truant officers, whose duty it shall be carefully to inquire concerning  
4 all violations of this act, and to enter complaint against all persons who  
5 shall be guilty of such violation. It shall also be the duty of said officer  
6 to apprehend children of a school-going age who habitually haunt public

7 places and have no lawful occupation, and also truant children who absent  
8 themselves from school without leave, and to place them in charge of the  
9 teacher having charge of the public school which the said children are by  
10 law entitled to attend, or such school as is designated by the parent of such  
11 child. And it shall be the duty of said teacher to assign said children to  
12 the proper classes, and to instruct them in such studies as they are fitted  
13 to pursue. Said truant officers shall have such compensation for services  
14 rendered under this act as shall be determined by the board of education  
15 or the board of directors appointing such officer, which compensation shall  
16 be paid from the distributable school fund.

17 § 3. Any person having control of a child who, with intent to evade the  
18 provisions of this act, shall make a willful false statement concerning the  
19 age of such child or the time such child has attended school, shall for  
20 such offense forfeit a sum of not less than \$3 nor more than \$20 for the use  
21 of the public school fund of such city or district.

22 § 4. Prosecutions under this act shall be instituted and carried on by  
23 authority of such boards, and be brought in the name of the People of the  
24 State of Illinois for the use of the school fund of said city or township.

25 § 5. Police municipal courts, justices of the peace and judges of the  
26 county court shall have jurisdiction within their respective counties of the  
27 offenses described in this act.

28 § 6. "An act concerning the education of children," approved May 24,  
29 1889, and in force July 1, 1889, is hereby repealed.





1. Introduced by Mr. Allen April 14, 1891, and ordered to first reading.
2. First reading April 14, 1891, and referred to Committee on Roads, Highways and Bridges.
3. Reported back with amendments April 22, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section fifty-one (51) of "An act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of acts therein named," approved May 4, 1887, in force July 1, 1887, as amended and approved June 5, 1889, and in force July 1, 1889.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section fifty-one (51) of an act entitled "An act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of acts therein named," approved May 4, 1887, in force July 1, 1887, as amended and approved June 1, 1889, and in force July 1, 1889, be amended so as to read as follows:

Section 51. The commissioners of highways shall have charge of the roads and bridges of their respective districts, and it shall be their duty to

3 keep the same in repair and improve ~~them~~ <sup>1</sup> so far as practicable: *Provided,*  
 4 that county boards in counties not under township organization shall have  
 charge and control of all bridges the construction of which costs exceeding  
 one hundred (\$100) dollars and the county board shall, when the interest of  
 7 the public requires it, build such new bridges as cost exceeding that sum.  
 8 Whenever the available means at the disposal of the highway commissioners  
 9 will permit it they shall construct permanent roads, beginning where most  
 10 needed. The work on roads shall be done timely and in accordance with  
 11 the best known methods of road making by proper grading and thorough  
 12 drainage by tile or otherwise, as may be expedient and by the application  
 13 of gravel, rock or other material.

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#### AMENDMENT TO SENATE BILL No. 319.

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Amend by inserting after the words and figures "fifty-one" in line one of  
 title of bill the words and figures "sixty-seven (67)."

Also add the following:

Section 67. When it is necessary to construct or repair any district or ex-  
 2 pensive work on a public road in any district or on or near to or across a  
 3 district line in which work the district is usually in part responsible, and  
 4 the cost of which will be more than one hundred dollars (\$100), the commis-  
 5 sioners of such road districts may petition the county board for aid, and if  
 6 it shall appear that the construction or repair of such works on such public  
 7 highway is necessary to the interest of the public and that the expense  
 8 thereof will exceed one hundred dollars (\$100), the county board shall make

9 an estimate of the cost of such work and shall thereupon appropriate from  
10 the county treasure one-half the estimated cost to repair or construct such  
11 district or expensive work. The expenditure of these funds shall be made  
12 by the county board, and any surplus funds so appropriated by the county  
13 board remaining unexpended after the completion of the work shall be paid  
14 or lapse into the county treasury.



**37th Assem.**

**SENATE.**

**June 1891**

**AMENDMENT TO SENATE BILL No. 319.**

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Adopted by the Senate, June 5, 1891.

1. Amend section one by inserting after the words and figures "fifty-one (51)" in line two the words and figures "and sixty-seven."



1. Introduced by Committee on Building and Loan Associations April 15, 1891, and ordered to first reading.
2. First reading April 15, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, and as amended by an act approved June 17, 1887, and in force July 1, 1887, by adding thereto certain sections to be numbered 15, 16, 17 and 18.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, and as amended by act approved June 17, 1887, and in force July 1, 1887, be and the same is hereby amended by adding thereto the following, to be numbered sections 15, 16, 17 and 18.*

Section 15. The secretary of every building, loan and homestead association incorporated or doing business within this State, shall, within sixty days after the close of each fiscal year of such association, file with the Auditor of Public Accounts of the State of Illinois (with a fee of four dollars), a printed statement of the receipts and expenditures of such association for such year, its assets and liabilities, the number of shares of its

7 capital stock issued, withdrawn and in force, in each series of stock during  
 8 such year, also the number of shares loaned upon, installments paid per  
 9 share, and profits per share and value per share in each series. Such state-  
 10 ment shall be sworn to by the secretary of such association and shall be  
 11 certified to by at least three members thereof, not officers thereof. Any  
 12 secretary who shall willfully neglect or refuse to file such statement shall  
 13 be subject to a fine of not less than twenty-five dollars nor more than two  
 14 hundred dollars for each neglect or refusal to furnish such statement. The  
 15 same may be recovered on a complaint before any court having competent  
 16 jurisdiction, for the benefit of the county wherein said association is located  
 17 or in which such secretary may reside.

Section 16. It shall be the duty of the Auditor of Public Accounts,  
 2 whenever nine or more stockholders of any association may request, in a  
 3 statement of facts made and sworn to by them, and whenever on such  
 4 statement he shall deem it expedient so to do, in person or by one or more  
 5 persons to be by him appointed for that purpose, not officers or agents of  
 6 or in any manner interested in such association, except as stockholders, to  
 7 examine into the affairs of any such association, incorporated in this State  
 8 or doing business by its agents in this State; and it shall be the duty of  
 9 the officers or agents of any such association doing business in this State  
 10 to cause their books to be opened for inspections of the Auditor or person  
 11 or persons so by him appointed, and otherwise facilitate such examination  
 12 so far as it may be in their power to do; and for that purpose the Auditor  
 13 or person or persons so appointed by him shall have the power to examine,  
 14 under oath, the officers and agents of any such association, relative to the  
 15 business of such association, and whenever the Auditor of Public Accounts  
 16 shall deem it for the best interests of the public so to do he shall publish  
 17 the result of any investigation in one or more newspapers of general circu-  
 18 lation, published in the county in which the principal office of such asso-



19 ciation is located, and annually, on or before the first day of December of  
 20 each year, the Auditor of Public Accounts shall report in writing to the  
 21 Governor the financial condition of all such associations doing business in  
 22 this State. The Auditor shall receive for such examination made by him  
 23 in person or by deputy, not exceeding the sum of ten dollars per diem for  
 24 the first five days and thereafter six dollars per diem: *Provided however,*  
 25 that such nine or more stockholders making such statements of facts afore-  
 26 said shall, at the time of filing the same, furnish a good and sufficient  
 27 bond, providing for the payment of all fees and expenses incident to such  
 28 examination, in the event that the allegations set forth in their statement  
 29 be not sustained, the amount of such bond to be fixed and sureties ap-  
 30 proved by the Auditor of Public Accounts. And the compensation to the  
 31 Auditor herein above provided for shall be paid by the association so ex-  
 32 amined: *Provided,* such examination shows that the allegations contained in  
 33 such statement are sustained.

Section 17. And whenever it shall appear to the said Auditor that said  
 2 allegations in said statements of facts contained have been sustained by  
 3 such examinations, and that the assets of any such association incorporated  
 4 or doing business in this State are insufficient to justify the continuance of  
 5 business of such association he shall communicate the fact to the directors  
 6 of such association. Such directors shall be allowed sixty days within  
 7 which to make the assets sufficient, and in case such assets are not made  
 8 sufficient within the time herein provided, then the Auditor shall report  
 9 the same to the Attorney General, whose duty it shall then become to apply  
 10 to the circuit court of the county in which the principal office of said asso-  
 11 ciation shall be located, for an order requiring it to show cause why the  
 12 business of such association shall not be closed; and the court shall there-  
 13 upon proceed to hear the allegations and proofs of the respective parties,  
 14 either in open court or upon a reference to a master in chancery; and in

15 case it shall appear to the satisfaction of said court that the assets and  
16 funds of said association are not sufficient as aforesaid, the court shall de-  
17 cree a dissolution of the said association and a distribution of its assets.

Section 18. Any such association may allow reasonable compensation to  
2 its auditing committees for their services as such, not exceeding the sum of  
3 four dollars per diem, nor for more than three days during each quarter  
4 year, such committee to consist of three shareholders, not officers thereof.

1. Introduced by Mr. Leeper April 15, 1891, and ordered to first reading.
2. First reading April 15, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section eight of an act entitled "An act concerning circuit courts and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved June 26, 1885, in force July 1, 1885.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section eight of an act entitled "An act con-  
3 cerning circuit courts, and to fix the time of holding the same in the  
4 several counties in the judicial circuits in the State of Illinois,  
5 exclusive of the county of Cook," approved May 24, 1879, as amended by an  
6 act approved June 26, 1885, in force July 1, 1885, be and the same is hereby  
7 amended so as to read as follows:

Section 8. Seventh circuit. In the county of DeWitt, on the third Mon-  
2 day of March, fourth Monday of August and first Monday of December;  
3 in the county of Logan, on the third Mondays of January, May and Sep-  
4 tember; in the county of Menard, on the first Monday in March and the  
5 first Monday in November; in the county of Mason, on the second Monday  
6 of February and third Monday of October; in the county of Cass, on the  
7 first Monday of April, third Monday of August and first Monday of Octo-

ber, said August term in said county of Cass to be devoted to the trial of  
chancery causes, and such other business as may be transacted without the  
intervention of petit jury; in the county of Greene, on the fourth Monday  
of February and the first Monday of September; in the county of Jersey, on  
the third Monday of March and fourth Monday of September; in the county  
of Calhoun, on the second Mondays of April and October; in the county of  
Scott, on the fourth Mondays of April and October; in the county of Mor-  
gan, on the second Mondays of May and November.

1. Introduced by Mr. Leeper April 15, 1891, and ordered to first reading.
  2. First reading April 15, 1891, and referred to Committee on Judicial Department and Apportionment.
  3. Reported back April 17, 1891, passage recommended and ordered to second reading.
  4. Second reading May 8, 1891, amended and ordered to a third reading.
- 

## A BILL

For an act to amend section 8 of an act entitled "An act concerning circuit courts and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved June 26, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 8 of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, as amended by an act approved June 26, 1885, in force July 1, 1885, be and the same is hereby amended so as to read as follows:

Section 8. Seventh Circuit. In the county of DeWitt, on the third Monday of March, fourth Monday of August and first Monday of December; in the county of Logan, on the third Mondays of January, May and September; in the county of Menard, on the first Monday in March and the third Mondays of July and October; in the county of Mason, on the second Mon-

6 day of February and third Monday of October; in the county of Cass, on  
7 the first Monday of April, third Monday of August and first Monday of  
8 October, said August term in said county of Cass to be devoted to the trial of  
9 chancery causes, and such other business as may be transacted without the  
10 intervention of a petit jury; in the county of Greene, on the fourth Mon-  
11 day of February and the first Monday of September; in the county of Jer-  
12 sey, on the third Monday of March and fourth Monday of September; in  
13 the county of Calhoun, on the second Mondays of April and October; in  
14 the county of Scott, on the fourth Mondays of April and October; in the  
15 county of Morgan, on the second Mondays of May and November.

1. Introduced by Mr. Coppinger, April 15, 1891, and ordered to first reading.
2. First reading April 15, 1891, and referred to Committee on Public Buildings and Grounds.
3. Reported back May 14, 1891, and ordered to be printed for use of Senate and to be referred to Committee on Appropriations.

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## A BILL

For an act to authorize the selection, location and appropriation of certain lands in the counties of Madison and St. Clair for a State reservation and to preserve the so-called "Indian Mounds" on these lands.

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* Within ten days after the passage of this act there  
3 shall be appointed by the Governor, by and with the consent of the Senate,  
4 three commissioners, all of whom shall be residents of the State of Illinois,  
5 who are hereby appointed and constituted a board of commissioners by the  
6 name and style of "The Commissioners of the State Reservation at Cahokia."  
7 Said commissioners shall hold office for the term of five years from and  
8 after the passage of this act, and until others are appointed in their places.  
9 No member of said board shall receive any compensation for his services as  
10 commissioner, but each commissioner shall be entitled to receive his actual  
11 disbursements for his expenses in performing the duties of his office. In  
12 case of any of the persons so appointed as above will not undertake the  
13 office of this commission, or in case of a vacancy on said board, such

14 vacancy shall be filled by the Governor, and the person so appointed shall  
 15 hold his office for the term of five years from the date of his appointment  
 16 and until another shall be appointed in his place.

§ 2. The said board shall have power to select and locate such lands in  
 2 the counties of Madison and St. Clair and the State of Illinois as may  
 3 in their opinion be proper and necessary to be reserved for the purpose of  
 4 preserving the Cahokia Mounds. Before any proceedings shall be had or  
 5 taken for acquiring the title to any of the said lands, the said commissioners  
 6 shall cause to be made a map of the land, by an expert engineer and  
 7 surveyor, which they shall determine to take, which shall be certified by a  
 8 majority of said commissioners, and filed in the office of the Secretary of  
 9 State and in the offices of the clerks of the counties of Madison and  
 10 St. Clair.

§ 3. The said commissioners shall hold their first meeting at twelve  
 2 o'clock noon, at the office of the Secretary of State, on such day as shall  
 3 be named by said Secretary of State, and within thirty days after the  
 4 passage of this act. The said commissioners shall at said meeting choose a  
 5 president of said board who shall be a member thereof, and shall appoint  
 6 some person to act as the treasurer and secretary of said board. After the  
 7 filing of the said map as above required, the said commissioners shall pub-  
 8 lish for twenty days in two newspapers printed and published respectively  
 9 in the counties of Madison and St. Clair, a notice declaring that the State  
 10 of Illinois intends to take and appropriate the lands described by the said  
 11 maps, and acquire title thereto, and that the said commissioners intend to  
 12 apply to the circuit court for the appointment of three freeholders, residents  
 13 of the State of Illinois, to act as commissioners of appraisement, to ascertain  
 14 and report the just compensation to be paid to the person or persons or  
 15 corporation owning or having any interest in said property.

§ 4. Upon the day designated in the said notice or on some other day to



2 be named by the said court, the said court shall hear the application of  
 3 the said commissioners, and shall appoint three commissioners of appraise-  
 4 ment for the purpose aforesaid. And in case any commissioner of appraise-  
 5 ment shall decline to serve, the said court may, on application of said  
 6 board of commissioners of the State reservation at Cahokia, upon notice of  
 7 such vacancy and application to be published in two newspapers respec-  
 8 tively in the counties of Madison and St. Clair ten days, appoint another  
 9 in his place.

§ 5. The commissioners of appraisement so appointed shall, before they  
 2 enter upon their duties, take and subscribe an oath, to be administered by  
 3 some person authorized to administer oaths, faithfully to execute their  
 4 duties according to the best of their ability. They shall give notice of the  
 5 time and place of the meeting to view the said property, by publishing the  
 6 same in two newspapers printed and published respectively in the counties  
 7 of Madison and St. Clair, for three weeks.

§ 6. The commissioners shall together view such property and shall re-  
 2 ceive any legal evidence as to the compensation that should be made there-  
 3 for, and may adjourn from time to time. They shall ascertain and award  
 4 to the respective owners of the property to be taken, and to all persons  
 5 and corporations interested therein, such compensation therefor as in their  
 6 opinion shall be just and proper, and in fixing the amount of such compen-  
 7 sation said commissioners shall not make any allowance or deduction on  
 8 account of any real or supposed benefits which the parties interested may  
 9 derive from the said State reservation or improvement for which said lands  
 10 are to be taken. The report of the said commissioners of appraisement,  
 11 signed by a majority of said commissioners, shall be filed in the office of  
 12 the clerks of Madison and St. Clair counties as soon as completed, and said  
 13 report shall be made and filed within six months from the time of their  
 14 appointment. Their minutes of testimony taken by them, if any, shall be

15 attached to and filed with their said report and form a part thereof.

§ 7. After the report of the said commissioners of appraisement shall be  
 2 so filed the board of commissioners of the State reservation at Cahokia  
 3 shall give notice by publishing the same three weeks in newspapers printed  
 4 and published in the said counties of Madison and St. Clair respectively,  
 5 that they will on a day to be specified in said notice apply to the said cir-  
 6 cuit court for an order confirming the said report, and on the day so ap-  
 7 pointed the said court, upon being furnished with proof of the due publica-  
 8 tion of said notice as above provided, shall confirm such report, and make  
 9 an order containing a recital of the substance of the proceedings in the  
 10 matter of the appraisement, and a description of the real estate appraised,  
 11 for which compensation is to be made, and shall also direct to whom the  
 12 money is to be paid.

§ 8. A certified copy of the order so to be made as aforesaid shall be re-  
 2 corded at full length in the office of the clerks of the counties of Madison  
 3 and St. Clair and also in the office of the Secretary of State.

§ 9. Within twenty days after the confirmation of the report of the com-  
 2 missioners, as provided for in the seventh section of this act, any party  
 3 may appeal by notice in writing to the other to the supreme court from  
 4 the appraisal and report of the commissioners. Such appeal shall be heard  
 5 by the supreme court at any general term on such notice thereof being  
 6 given, according to the rules and practice of said court. On the hearing of  
 7 such appeal the court may direct a new appraisal before the same or new  
 8 commissioners in its discretion. The second report shall be final and con-  
 9 clusive on all the parties interested: *Provided, however, that the State shall*  
 10 *not take possession of the said appraised premises until the amount awarded*  
 11 *for the same shall have been duly appropriated by act of the legislature of*  
 12 *this State for this purpose.*

§ 10. If there should be diverse and conflicting claimants to the money or

2 to any part of it to be paid as compensation for the real estate taken for  
 3 the purpose aforesaid, the court may direct the moneys to be paid into  
 4 court, and may determine who is entitled to the same and direct to whom  
 5 the same shall be paid, and may in its discretion order a reference to as  
 6 certain the facts upon which said determination and order are to be  
 7 made.

§ 11. The said court shall have power at any time to amend any defect  
 2 or informality in any of the proceedings to acquire title to the said land,  
 3 as may be necessary, and also to appoint other commissioners of appraisement  
 4 in place of any who should die, or refuse or neglect to serve, or be in-  
 5 capable of serving, upon like notice as required by section four of this act  
 6 in like cases of neglect or refusal to serve.

§ 12. If at any time after an attempt to acquire title by compensation as  
 2 aforesaid it should be found that the title attempted to be acquired is de-  
 3 fective, the said board of commissioners of the State reservation at Cahokia  
 4 shall proceed anew to acquire or perfect such title in the manner  
 5 hereinbefore set forth, and as if no appraisement had been made.

§ 13. After the proceedings herein provided for, for the purpose of ac-  
 2 quiring title by the State to the said lands, shall have been concluded, the  
 3 said board of commissioners of the State reservation at Cahokia shall report  
 4 such proceedings, and all other action by them taken, together with the  
 5 accounts awarded by the said commissioners of appraisement to the legisla-  
 6 ture of this State.

§ 14. It is further provided that in case the legislature shall fail to make  
 2 any appropriation to pay the owners for the lands which may be selected  
 3 and located by the said commissioners of the State reservation at Cahokia,  
 4 pursuant to the provisions hereof, within three years after the passage of  
 5 this act, all the proceedings which may have been taken for acquiring the  
 6 title to the said lands shall be void and of no effect, but in such case the

7 Auditor shall pay to the parties whose lands have been condemned in pur  
8 suance of the provisions of this act the reasonable costs and expenses  
9 incurred by them in such proceedings, the amount of such costs and expen-  
10 ses to be fixed and allowed by the Attorney General and to be paid out of  
11 any moneys in the treasury not otherwise appropriated.

§ 15. The sum of five thousand dollars, or so much thereof as may neces-  
2 sary, payable out of any moneys in the treasury not otherwise appropriated,  
3 is hereby appropriated, and the Auditor of Public Accounts is hereby  
4 authorized to draw his warrant on the Treasurer for the money hereby  
5 appropriated.

1. Introduced by Mr. Arnold April 15, 1891, and ordered to first reading.
2. First reading April 15, 1891, and referred to Committee on Building and Loan Associations.
3. Reported back April 23, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among members of such associations," in force July 1, 1879, and as amended by an act in force July 1, 1887, by adding thereto a section to be known as section fifteen (15).

---

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, and as amended by an act in force July 1, 1887, be and the same is hereby amended by adding thereto section fifteen (15) to read as follows:

Section 15. Associations organized under the laws of other States or territories which are known as "Foreign or national associations," shall not be allowed to carry on a business of a like character to that authorized by sections 1 to 15 inclusive of the foreign act, and shall not be allowed to sell their stock in this State without first depositing the sum of one hundred thousand dollars (\$100,000) as a guarantee fund for protection and indemnity to the citizens of the State of Illinois, with whom such corporation shall do

8 business. The fund so deposited to be paid by the treasurer to the citizens  
9 of Illinois, only, and not then until upon proof filed with the treasurer he  
10 shall be satisfied that the claimant has sustained some loss by reason of his  
11 having done business with such "Foreign or national associations." And  
12 person or persons who shall be found in this State as agent, or in any other  
13 capacity representing any such "Foreign or national association" which has  
14 not complied with the provisions of this section shall be deemed guilty of  
15 a misdemeanor and upon conviction shall be punished by a fine not exceed-  
16 ing one thousand dollars, or imprisoned in the county jail not exceeding  
17 one year, or by both such fine and imprisonment, to be recovered by an  
18 action in the name of the People of the State of Illinois, and the amount  
19 to be paid into the State treasury.

1. Introduced by Mr. Bogardus April 16, 1891, and ordered to first reading.
2. First reading April 16, 1891, and referred to Committee on Appropriations.
3. Reported back May 13, passage recommended, and ordered to second reading.

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## A BILL

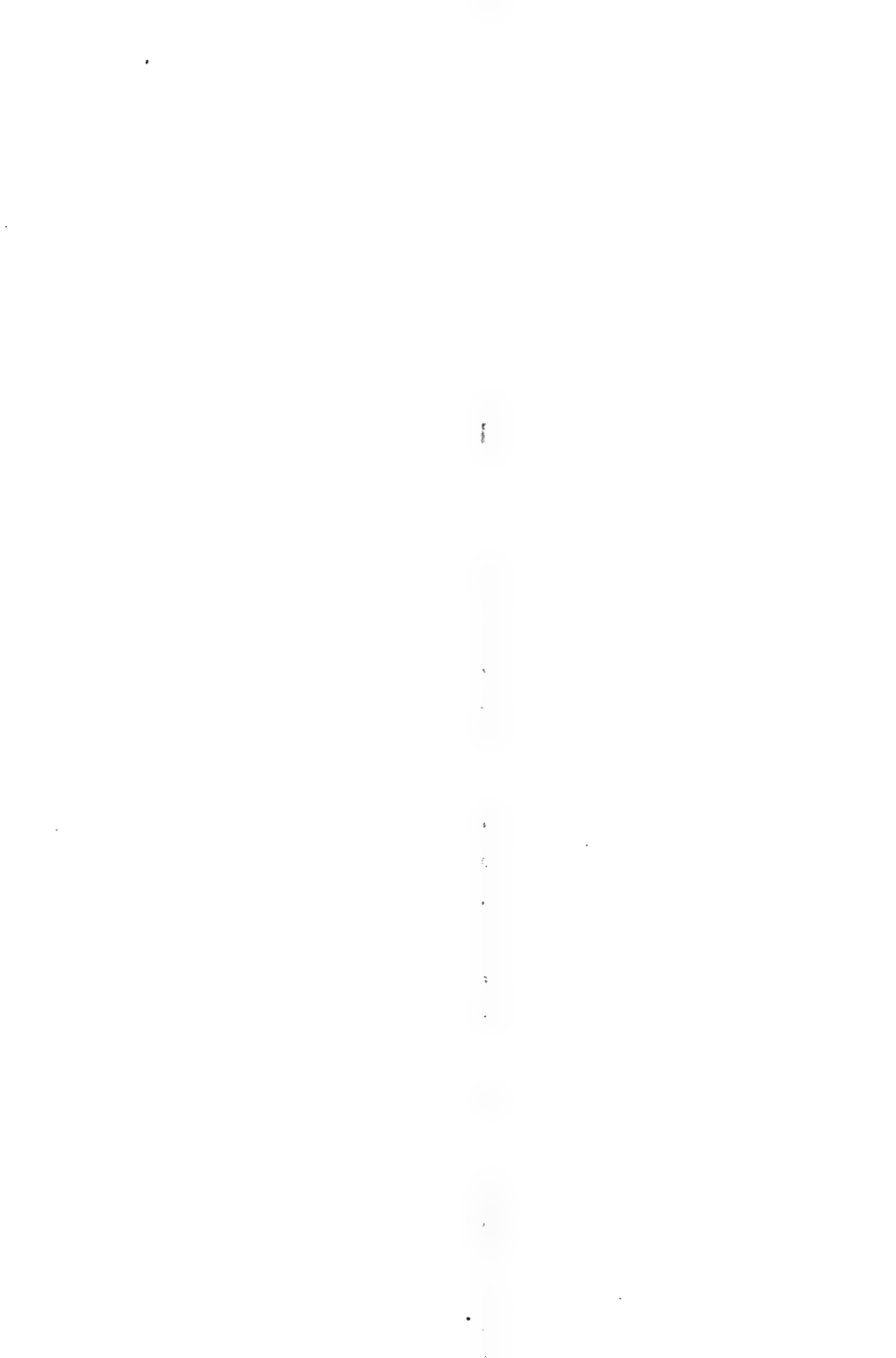
For an act making appropriations to the State Reform School.

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SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly.* That the following sums be and are hereby appropriated to the State Reform School at Pontiac, for the purposes herein named:

- For a root cellar, one thousand dollars (\$1,000).
- For an ice house, two thousand dollars (\$2,000).
- For iron stairways in main building, one thousand eight hundred dollars (\$1,800).
- For re-painting buildings, one thousand eight hundred dollars (\$1,800).
- For tiling farm, one thousand five hundred dollars (\$1,500).
- For a trades school, twenty thousand dollars (\$20,000).

§ 2. The moneys herein appropriated shall be paid to the trustees in the manner provided by law.





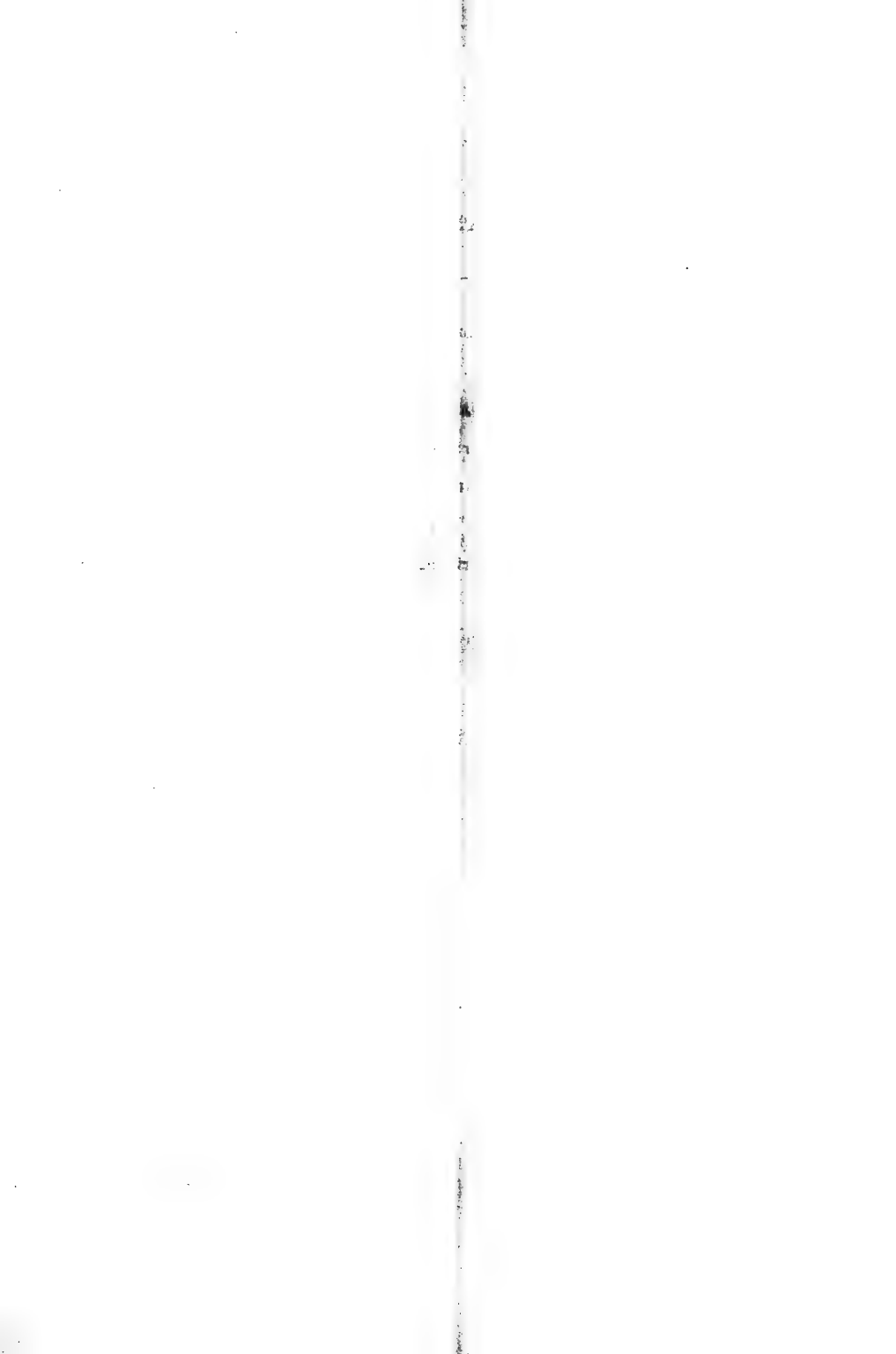
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**AMENDMENTS TO SENATE BILL No. 332 IN THE HOUSE.**

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section one by striking out all of line 6 of the printed bill.
2. Amend same section by striking out the words and figures "one thousand and eight hundred dollars (\$1800)," in line 9 of the printed bill and insert the words "one thousand dollars (\$1000)," in place thereof.
3. Amend same section by striking out all of line 11 of the printed bill.



1. Introduced by Mr. Bacon April 16, 1891, and ordered to first reading.
2. First reading April 16, 1891, and referred to Committee on Judicial Department and Practice.
3. Reported back April 17, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 14 of an act entitled "An act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same; for prescribing and defining the duties and limiting the powers of such corporations when so organized," approved and in force March 1, 1872.

---

**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 14 of an act entitled "An act to pro-  
3 vide for the incorporation of associations that may be organized for the  
4 purpose of constructing railways, maintaining and operating the same; for  
5 prescribing and defining the duties and limiting the powers of such cor-  
6 porations when so organized," approved and in force March 1, 1872, be and  
7 is hereby amended to read as follows:

Section 14. The stock of such corporation shall be deemed personal es-  
2 tate and shall be transferable in the manner prescribed by the by laws of  
3 such corporation. But no shares shall be transferable until all previous  
4 calls thereon shall have been paid; and it shall not be lawful for such  
5 corporation to use any of the funds thereof in the purchase of its own  
6 stock, or that of any other corporation, or to loan any of its funds to any

7 director or other officer thereof, or to permit them or any of them to  
8 use the same for other than the legitimate purposes of such corporation;  
9 *Provided, however,* that any railroad company incorporated and organized,  
10 or that may hereafter be incorporated and organized under any general or  
11 special law of this State, and operating a railroad which now connects or  
12 hereafter may connect at any point with any railroad of any other State,  
13 shall have power, acting by itself, or jointly with another such company or  
14 companies, to own and hold the stock and securities of the corporation  
15 owning said connecting road, or any part thereof: such ownership or hold-  
16 ing to comprise at least two-thirds in amount of the stock of such corpora-  
17 tion; but in case of the purchase of stock the company or companies so  
18 purchasing shall take and pay for all the shares of the company whose  
19 stock is so purchased that may be offered, and the terms of purchase of all  
20 shares shall be the same to all stockholders.

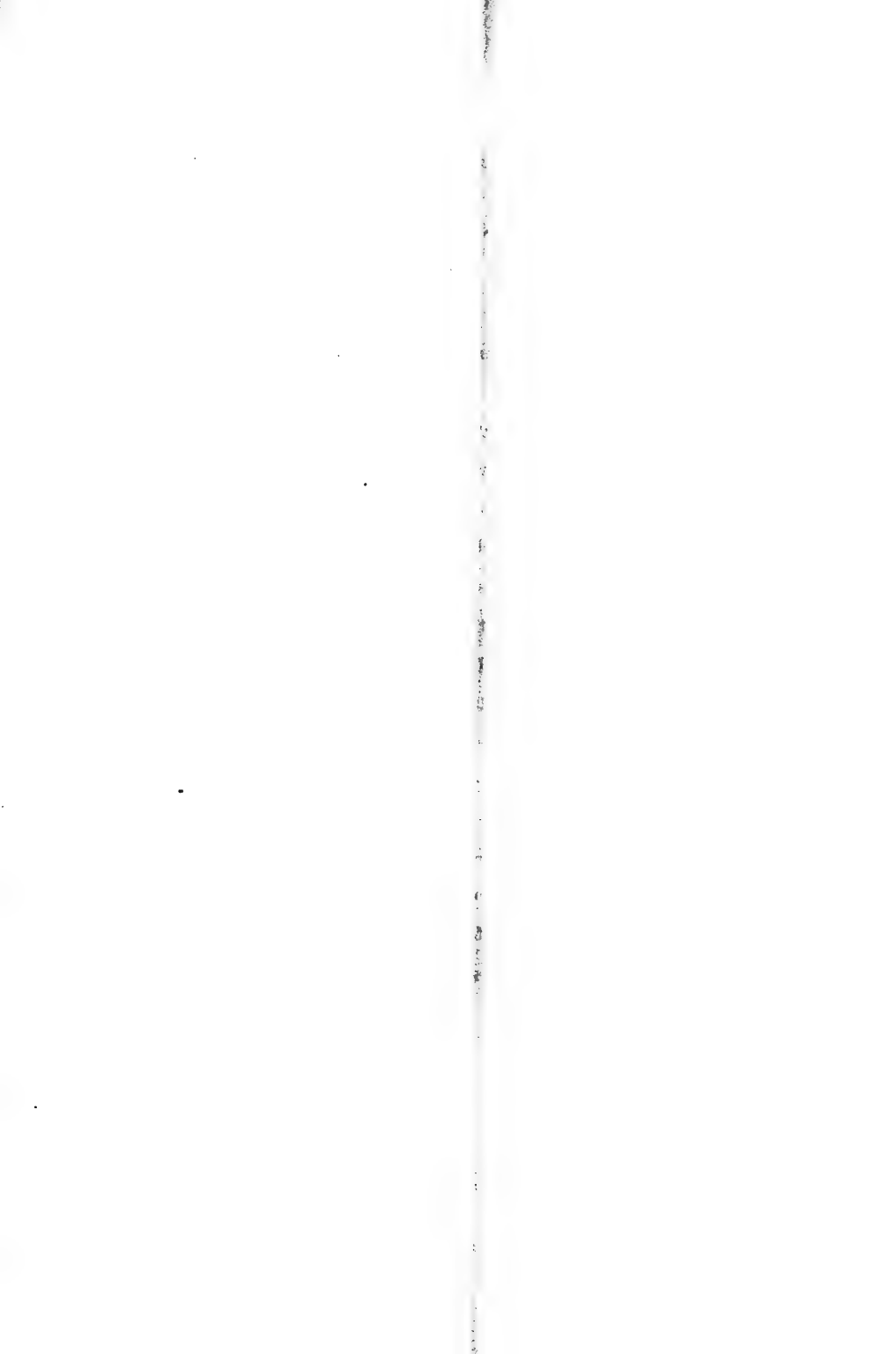
## AMENDMENTS TO SENATE BILL NO. 333, IN HOUSE.

Adopted by the House of Representatives May 8, 1891. ordered printed and engrossed May 8, 1891.

1. Amend the title to Senate Bill 333 by inserting after the word "amend" in the first line of the printed title thereof the words, "the title and," and by adding to said title the words, "and authorizing all railroad companies of this State to own and hold the stock and securities of railroad companies of other states owning connecting lines."

2. Amend by inserting after the word "that" in line 2 of the printed bill the words "the title and," and by striking out the word "is" in line 7 of the same section and inserting in place thereof the word "are."

3. Amend by inserting after the word "follows" in line 7 of section one the following: "Title. An act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same; for prescribing and defining the duties and limiting the powers of such corporations when so organized; and authorizing the same and all railroad companies of this State to own and hold the stock and securities of railroad companies of other states owning connecting lines."



- 1 Introduced by Mr. Ferguson, April 16, 1891, and ordered to first read-  
ing.
- 2 First reading April 16, 1891, and referred to Committee on Appropria-  
tions.
- 3 Reported back April 29, 1891, passage recommended and ordered to  
second reading.

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## A BILL

For an act to provide for the expenses of the Illinois State Penitentiary at Jo-  
liet and to keep the prisoners therein employed.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That the sum of one hundred thousand dollars  
3 (\$100,000) or so much thereof as may be necessary, be and the same is here-  
4 by appropriated as a fund to defray such portion of the current expenses  
5 of the Illinois State Penitentiary at Joliet, until the expiration of the first  
6 fiscal quarter after the adjournment of the next General Assembly, as the  
7 earnings of convict labor in said penitentiary may be insufficient to defray;  
8 also to enable the commissioners of said penitentiary to keep employed all  
9 prisoners who may be left without employment by the expiration of any  
10 contracts now in force; and the commissioners of said penitentiary are here-  
11 authorized to expend so much of the amount hereby appropriated as  
12 may be necessary for tools, machinery and raw material, sufficient to keep  
13 employed all prisoners in said penitentiary who may become idle as herein  
14 stated, and to provide for the sale of goods therein manufactured; and the  
15 said commissioners shall employ said prisoners at such occupation or occu-

16 pations as are best adapted to secure their health, discipline and reforma-  
17 tion.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his  
2 warrant upon the State Treasurer for the moneys hereby appropriated, upon  
3 the order of the board of commissioners of the said penitentiary, signed by  
4 the president and attested by the secretary, with the seal of said institution  
5 thereto attached.



1. Introduced by Mr. O'Connor April 16, 1891, and ordered to first reading.
2. First reading April 16, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act regulating book-making and pool-selling and to provide for the punishment thereof.

---

**Sec. 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That it shall be unlawful for any person who keeps any room, shed, tenement, tent, booth or building, or any part thereof, or who occupied any place upon any public or private grounds within this State, with any book, instrument or device, for the purpose of recording or registering bets or wagers or of selling pools; or any person who records or registers bets or wagers or sells pools upon the result of any trial or contest of skill, speed or power of endurance of man or beast, or upon the result of any political nomination, appointment or election; or being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building, or part thereof, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any devices or apparatus for the purpose of recording or registering such bets or wagers, or selling of such pools, or becomes the custodian or depository for hire or privilege of any money, property or thing of value staked,

16 wagered or pledged upon any such result, between the first day of Novem-  
17 ber and the first day of April of each and every year hereafter.

18 And any person or persons violating any part of this act shall for each  
19 and every offense be deemed guilty of a misdemeanor, and on conviction  
20 shall be fined in any sum not less than one hundred dollars (\$100) nor more  
21 than five hundred dollars (\$500) and costs of suit, and shall stand com-  
22 mitted to the county jail until such fine is paid.

§ 2. That section one of "An act to prohibit book-making and pool-  
2 selling," approved May 31, 1887, in force July 1, A. D. 1887, and all acts and  
3 parts of acts in conflict herewith be and the same are hereby repealed.

1. Introduced by Mr. O'Connor April 16, 1891, and ordered to first reading.
  2. First reading April 16, 1891, and referred to Committee on Judicial Department and Apportionment.
  3. Reported back April 17, 1891, passage recommended and ordered to second reading.
  4. Second reading May 13, 1891, amended and ordered to third reading.
- 

## A BILL

For an act regulating bookmaking and pool-selling and to provide for the punishment thereof.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That it shall be unlawful for any person who keep  
3 any room, shed, tenement, tent, booth or building, or any part thereof, or  
4 who occupies any place upon any public or private grounds within this  
5 State, with any book, instrument or device, for the purpose of recording or  
6 registering bets or wagers or of selling pools; or any person who records or  
7 registers bets or wagers or sells pools upon the result of any trial or con-  
8 test of skill, speed, or power of endurance of man or beast, or upon the  
9 result of any political nomination, appointment or election; or being the  
10 owner, lessee or occupant of any room, shed, tenement, tent, or booth or  
11 building, or part thereof, knowingly permits the same to be used or occu-  
12 pied for any of these purposes, or therein keeps, exhibits or employs any  
13 devices or apparatus for the purpose of recording or registering such bets  
14 or wagers, or selling of such pools, or becomes the custodian or depository  
15 for hire or privilege of any money, property or thing of value staked,



1. Introduced by Mr. NOBLE, April 17, 1891, and ordered to first reading.
2. First reading April 17, 1891, and referred to Committee on Municipalities.
3. Reported back April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to encourage and promote the establishment of free public libraries  
in cities, villages and towns in this State.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That whenever property, real or personal, has here-  
3 tofore been or shall hereafter be devised or bequeathed by last will and  
4 testament, or granted, conveyed or donated by deed or other instrument,  
5 to trustees, to be applied by them to the foundation and establishment in  
6 any of the cities, villages and towns of this State a free public library, it  
7 shall be lawful, when not otherwise provided in said will or other instru-  
8 ment of gift, for the acting trustees in any such case, in order to promote  
9 the better establishment, maintenance and management of such library, to  
10 cause to be formed a corporation under the provisions of this act, with the  
11 rights, powers and privileges hereinafter provided for.

§ 2. Such acting trustees may make, sign and acknowledge before any  
2 officer authorized to take acknowledgments of deeds in this State, and file  
3 in the office of the Secretary of State, a statement in writing, in which

4 shall be set forth the intent of such ~~trustees~~ to form a corporation under  
 5 this act; a copy of the will or other instrument by which endowment of  
 6 said library has been provided; the name adopted for the proposed corpora-  
 7 tion (which shall not be the name of any other corporation already exist-  
 8 ing); the city, village or town in which the library and the principal place  
 9 of business of the corporation will be located; the number of managers who  
 10 may be denominated trustees, managers or directors of the corporation; and  
 11 the names of the trustees, managers or directors who are to constitute the  
 12 original board of such officers, and who shall hold until their successors  
 13 respectively are elected and qualified, as in this act provided.

§ 3. Upon the filing in his office of such a statement as aforesaid the  
 2 Secretary of State shall issue to the incorporators, under his hand and seal  
 3 of State, a certificate, of which the aforesaid statement shall be a part, de-  
 4 claring that the organization of the corporation is perfected. The incorpo-  
 5 rators shall thereupon cause such certificate to be recorded in a proper rec-  
 6 ord book for the purpose in the office of the recorder of deeds of the  
 7 county in which the said library is to be located; and thereupon the corpo-  
 8 ration shall be deemed fully organized and may proceed to carry out its  
 9 corporate purposes, and may receive by conveyance, from the trustees under  
 10 said will, deed or other instrument of donation, the property provided by  
 11 will or otherwise as aforesaid for the endowment of said library, and may  
 12 hold the same in whatever form it may have been received or conveyed by  
 13 said trustees until such form shall be changed by the action of the said  
 14 corporation.

§ 4. Organizations formed under this act shall be bodies corporate and  
 2 politic to be known under the names stated in the respective certificates or  
 3 articles of incorporation; and by such corporate names they shall have and  
 4 possess the ordinary rights and incidents of corporations, and shall be ca-

5 pable of taking, holding and disposing of real and personal estate for all  
6 purposes of their organization. The provisions of any will, deed or other  
7 instrument by which endowment is given to said library and accepted by  
8 said trustees, managers or directors shall, as to such endowment, be a part  
9 of the organic and fundamental law of such corporation.

10 The trustees, managers or directors of any such corporation shall com-  
11 pose its members, and shall not be less than seven nor more than fifteen in  
12 number; shall elect the officers of the corporation from their number; and  
13 shall have control and management of its affairs and property; may accept  
14 donations, and in their discretion hold the same in the form in which they  
15 are given, for all purposes of science, literature and art germane to the ob-  
16 ject and purpose of said corporation. They may fill by election, subject to  
17 the approval of the chief justice, for the time being, of the supreme court  
18 of Illinois, vacancies occurring in their own number by death, incapacity,  
19 retirement or otherwise, and may make lawful by-laws for the management  
20 of the corporation and of the library, which by-laws shall set forth what  
21 officers there shall be of the corporation, and shall define and prescribe  
22 their respective duties. They may appoint and employ from time to time  
23 such agents and employes as they may deem necessary for the efficient ad-  
24 ministration and conduct of the library and other affairs of the corporation.  
25 Whenever any trustee, manager or director shall be elected to fill any va-  
26 cancy, a certificate under the seal of the corporation, giving the name of  
27 the person elected, shall be recorded in the office of the recorder of deeds  
28 where the articles of incorporation are recorded.

29 Whenever, by the provisions of such will, deed or other instrument by  
30 which endowment is created, the institution endowed is declared to be and  
31 is free and public, the library and other property of such corporation shall  
32 be forever exempt from taxation.

33 The trustees, managers or directors of such corporation shall, in the  
34 month of January in each year, cause to be made a report to the Governor  
35 of the State for the year ending on the thirty-first day of December, pre-  
36 ceding, of the condition of the library and of the funds and other property  
37 of the corporation showing the assets and investments of such corporation  
38 in detail.



1. Introduced by Committee on Judicial Department and Apportionment April 17, 1891, and ordered to first reading.
2. First reading April 17, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to prohibit the manufacture of and sale of adulterated liquors, having as a basis or foundation, in whole or in part, alcohol, cologne spirits or highwines.

**SECTION 1.** *Be it enacted by the People of the State of Illinois represented*

*2 in the General Assembly.* That any person or persons who shall manufacture  
3 or make any whisky, brandy, wine, rum or gin out of or having as a basis  
4 or foundation in whole or in part alcohol, cologne spirits or highwines by  
5 the use of any drug or drugs, or extracts as a flavoring, or in the said  
6 manufacture shall use any drug or drugs or other substances for the pur-  
7 pose of making or creating a body, head or color for such manufactured  
8 liquors in imitation of pure whisky, brandies, wines, rum or gin shall be  
9 liable to indictment, and upon conviction shall be fined not less than five  
10 hundred dollars and not more than one thousand dollars. For the second  
11 offense the party or parties shall be fined not less than one thousand dol-  
12 lars or more than three thousand dollars. For the third offense the party  
13 or parties shall be confined in the State penitentiary for a period of not  
14 less than one nor more than five years.

§ 2. Any person or persons or corporations who shall mix or compound  
2 alcohol, cologne spirits or highwines in any quantity with sweet mash or

3 sour mash whisky shall be liable to indictment, and on conviction shall be  
4 fined in a sum of not less than five hundred dollars for each and every  
5 offense.

§ 3. Any person or persons or corporations who shall keep any tanks,  
2 tubs, barrels or other vessels, implements, instruments or machinery for the  
3 purpose or with intention to make or manufacture liquors as prohibited  
4 in the foregoing section, shall be liable to indictment, and on conviction  
5 shall be fined a sum of not less than one thousand dollars for each and  
6 every offense.

§ 4. Any person or persons or corporations who shall sell by wholesale  
2 or keep for sale by wholesale any of the liquors the manufacture of which  
3 is prohibited by the first and second sections of this act, shall on conviction  
4 be fined in the sum of not less than five hundred dollars for each and  
5 every offense, and any person or persons or corporations who shall sell the  
6 said liquors by retail or keep them for sale for retail, or shall give them  
7 away, shall be liable to indictment and on conviction shall pay a fine of  
8 not less than fifty dollars nor more than five hundred dollars.

§ 5. In case of prosecution under any of the sections of this act, the court  
2 when in session or vacant, shall, at the request of the State's attorney, appoint  
3 a competent expert, who shall make such examinations as will show  
4 whether or not the provisions of this act or any of them have been violated  
5 as charged, and the court shall allow the said expert such compensation as  
6 may be reasonable, and the same shall be taxed as a part of the cost.

§ 6. All fines collected because of violations of this act shall be paid into  
2 the common school fund of the county where the offense was committed.

1. Introduced by Mr. Kerrick April 20, 1891, and ordered to first reading.
2. First reading April 20, 1891, and referred to Committee on Judiciary.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections five (5) and six (6) of "An act in regard to garnishment," approved March 9, 1872, in force July 1, 1872.

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### **SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That sections five (5) and six (6) of "An act in re-  
3 gard to garnishment," approved March 9, 1872, in force July 1, 1872, be and  
4 the same is hereby amended so as to read as follows:

Section 5. When any person is summoned as a garnishee upon any  
2 process of attachment, or garnishee summons issued out of a court of record,  
3 the plaintiff shall, at or before the term at which the garnishee is bound to  
4 appear, or within such further time as the court shall allow, exhibit and  
5 file all and singular such allegations and interrogatories in writing, upon  
6 which he shall be desirous to obtain and compel the answer of any and  
7 every garnishee touching the lands, tenements, goods, chattels, moneys,  
8 choses in action, credits and effects of such defendant, and the value  
9 thereof, in his possession, custody or charge from him due or owing to the  
10 said defendant at the time of the service of the said writ, or at any time  
11 after, or which shall or may thereafter become due, whether he became  
12 possessed of the same by fraudulent transfer from the defendant or other  
13 wise, and the fact that the defendant by reason of having made a fraudu-

14 lent transfer could not recover in a direct suit by the defendant shall not  
 15 relieve the garnishee from the necessity of answering, nor prevent the  
 16 plaintiff from recovering as to property or effects so obtained by the gar-  
 17 nishee the same as in the case of other property or effects subject to gar-  
 18 nishment; and if the garnishee is owing to the defendant unliquidated dam-  
 19 ages, growing out of contract or otherwise, where the rules of law furnish  
 20 a definite measure of damages, then such garnishee shall answer touching  
 21 such damages and recovery thereof may be had in such proceedings, but  
 22 before such damages are assessed the defendant shall be notified of the  
 23 pendency of such proceedings, and shall have the right to come in and  
 24 assist in showing the amount of such damages; and it shall be the duty of  
 25 the garnishee in all attachment and garnishee proceedings to exhibit and  
 26 file under his oath or affirmation, within ten days after he shall be notified  
 27 of the filing of such interrogatories, or, if no notice of the filing of the  
 28 same shall be served upon him, then on or before the third day of the  
 29 next succeeding term after the term at which said interrogatories are  
 30 filed, full, direct and true answers to all and singular the allegations and  
 31 interrogatories by the plaintiff so exhibited and filed; but in no case shall the  
 32 garnishee be compelled to answer before the third day of the return term  
 33 of the garnishee process.

Section 6. When the proceeding is before a justice of the peace it shall  
 2 not be necessary to file interrogatories in writing, but the garnishee may  
 3 be examined orally touching the personal estate, lands, tenements, goods,  
 4 chattels, moneys, choses in action, credits and effects of the defendants and  
 5 the amount and value thereof in his possession, custody or charge, and  
 6 from him due and owing to the defendant at the time of the service of  
 7 such summons, or at any time thereafter, or which shall or may thereafter  
 8 become due, whether he became possessed of the same by fraudulent trans-  
 9 fer by the defendant or otherwise, and the fact that the defendant, by

10 reason of having made a fraudulent transfer, cannot recover in direct suit  
11 against the defendant shall not relieve the garnishee from the necessity of  
12 answering, nor prevent the plaintiff from recovering as to property and  
13 effects so obtained by the garnishee the same as in the case of other prop-  
14 erty or effects subject to garnishment; and if the garnishee is owing to the  
15 defendant unliquidated damages growing out of contract or otherwise,  
16 where the rules of law furnish definite measure of damages, then such  
17 garnishee shall answer touching such damages, and recovery thereof may be  
18 had in such proceedings, but before they are assessed the defendant shall  
19 be notified of the pendency of such proceedings and shall have a right to  
20 come in and assist in showing the amount of such damages.



1. Introduced by Mr. Wells April 21, 1891, and ordered to first reading.
2. First reading April 21, 1891, and referred to Committee on Judiciary.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section 31 of an act entitled "An act in regard to attachments in courts of record," approved December 23, 1871, in force July 1, 1872.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That section 31 of chapter II of the revised statutes of the State of Illinois, entitled "An act in regard to attachments in courts of record," be and the same is hereby so amended as to read as follows, to-wit:

Section 31. The plaintiff, in any action of assumpsit, debt, covenant, trespass, or trespass on the case, having commenced an action by summons or capias, may, at any time pending such suit, and before judgment therein, on filing in the office of the clerk where such action is pending, a sufficient bond and affidavit showing his right to an attachment under the first section of this act, sue out an attachment against the lands, goods, chattels, rights, moneys, credits and effects of the defendants, which said attachment shall be entitled in the suit pending and be in aid thereof; and such proceedings shall be thereupon had as required or permitted in original attachments as near as may be: *Provided*, this section shall not apply to actions in which the de

11 fendant has been arrested and has given special bail. *And provided further,*  
12 that in all actions of trespass and trespass on the case, before a writ of  
13 attachment shall be issued the plaintiff, his agent or attorney, shall apply  
14 to a judge of a court of record or a master in chancery of the county in  
15 which the suit is pending and be examined, under oath, by such judge or  
16 master concerning the cause of action; and thereupon such judge or master  
17 shall indorse upon the affidavit the amount of damages for which the writ  
18 shall issue, and no greater amount shall be claimed.



1. Introduced by Mr. Hamer, April 22, 1891, and ordered to first reading.
2. First reading April 22, 1891, and referred to Committee on License and Miscellany.
3. Reported back April 30, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to protect fur bearing animals, and to prevent their destruction in this State.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That it shall be unlawful for any person or persons to hunt, pursue, kill, net, ensnare or entrap, or otherwise destroy any beaver, otter, mink, martin, muskrat or raccoon between the fifteenth day of March and the first day of November of each year or any year. Any person or persons so offending shall for each and every offense be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than five dollars, nor more than twenty-five dollars and costs of suit, and shall stand committed to the county jail until such fine and costs are paid. The killing of each animal herein specified shall be deemed a separate offense.

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1. Introduced by Mr. Anderson April 22, 1891, and ordered to first reading.
2. First reading April 22, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back with amendments April 22, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to submit the question of license to a direct vote of the People.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section three (3) of an act entitled "An act to  
3 provide for the licensing of and the evils arising from the sale of intoxicat-  
4 ing liquors," approved March 30, 1874, in force July 1, 1874, be amended by  
5 the addition of the following:

6 *And provided, further,* that in cities, towns and villages of a population of  
7 less than 15,000 inhabitants, that before any license to keep a dram shop  
8 shall be granted by the corporate authorities of any such city, town or  
9 village, the question whether such license shall or shall not be granted  
10 shall be submitted to a vote of the qualified voters of such city, town or  
11 village at each annual election for officers of such city, town or village.  
12 Such question shall be submitted in form as follows:

13 "For granting dram shop license."

14 "Against granting dram shop license."

15 Which words shall be printed upon all tickets used at such election; and  
16 if a majority of the votes cast upon that question at such election shall be  
17 in favor of granting such licenses, then such corporate authorities shall

18 grant licenses for the ensuing year for such number of dram shops and to  
 19 such persons as such corporate authorities may deem proper. And if a ma-  
 20 jority of the votes cast upon that question at such election shall be against  
 21 granting such licenses, then such corporate authorities shall not grant any  
 22 such licenses for the then ensuing year.

23 All dram shop licenses under this act shall be subject to all the laws of  
 24 this State not in conflict with this act.

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PROPOSED AMENDMENTS TO SENATE BILL No. 345, BY COMMITTEE  
 ON LABOR AND MANUFACTURES.

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1. Amend by striking out the word "annual" in section 1, line 11.
2. Amend section 1 by striking out the words "ensuing year" in line 18, and insert the words "term for which such officers are elected," in lieu thereof.
3. Amend section 1, by striking out the words "then ensuing year," in line 22, and insert "said term or any part thereof," in lieu thereof.

1. Introduced by Mr. Anderson, April 22, 1891, and ordered to first reading.
2. First reading April 22, 1891, and referred to Committee on Labor and Manufactures.
3. Reported back with amendments April 29, 1891, passage recommended and ordered to second reading.
4. Second reading May 14, 1891, amended, and ordered to third reading.

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## A BILL

For an act to submit the question of license to a direct vote of the people, of cities, towns and villages.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That in every city, town or village of a population  
3 of less than 15,000 inhabitants, the question whether any license to keep  
4 dram shops shall or shall not be granted shall be submitted to a vote of  
5 the qualified voters of such city, town or village at each election for alder-  
6 man or trustees of such city, town or village. Such question shall be sub-  
7 mitted in form as follows:

8 "For granting dram shop license."

9 "Against granting dram shop license."

10 Which words shall be printed upon all tickets used at such election; and  
11 if a majority of the votes cast upon that question at such election shall be  
12 in favor of granting such licenses, then such corporate authorities shall  
13 grant licenses for the term intervening before the next similar election for  
14 such number of dram shops and to such persons as such corporate authori-  
15 ties may deem proper. And if a majority of the votes cast upon that ques-

tion at such election shall be against granting such licenses, then such corporate authorities shall not grant any such licenses for the said term or any part thereof.

All dram shop licenses under this act shall be subject to all the laws of this State not in conflict with this act.

1. Introduced by Mr. Loeper, April 22, 1891, and ordered to first reading.
2. First reading April 22, 1891, and referred to Committee on Judiciary.
3. Reported back May 8, 1891, passage recommended and ordered to second reading.

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## A BILL

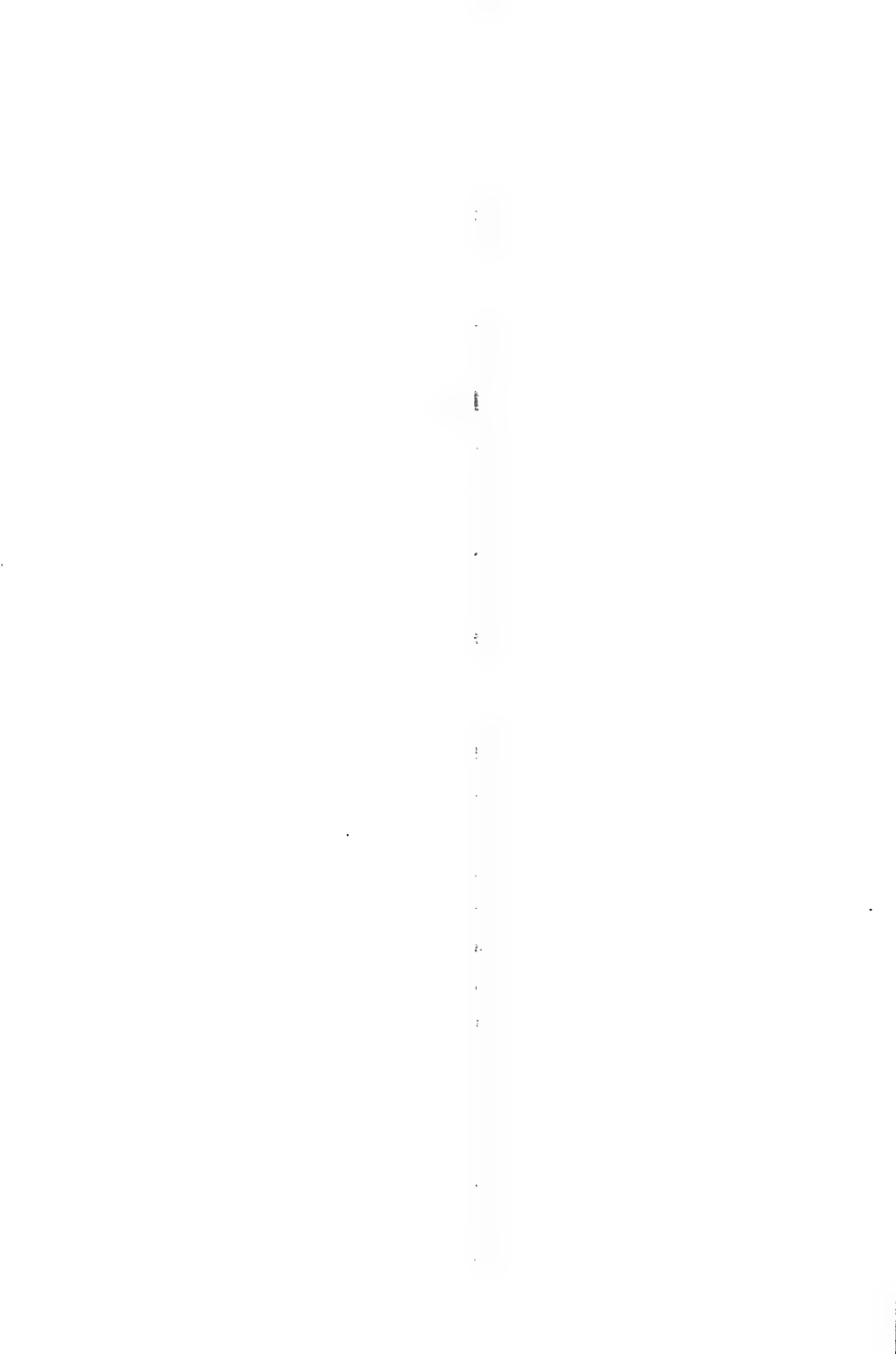
For an act to amend section 2 of "An act to revise the law in relation to change of venue," approved March 25, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 2 of "An act to revise the law in rela-  
3 tion to change of venue," approved March 25, 1874, and in force July 1,  
4 1874, be amended so as to read as follows:

Section 2. When a change of venue is granted on account of the preju-  
2 dice of the presiding judge, it shall be to some other court of record of  
3 competent jurisdiction in the same county, or be tried in the same county  
4 by any other judge of the circuit court against whom the cause for the  
5 change does not apply. When the cause for change is the prejudice of the  
6 inhabitants of the county, the venue may be to some convenient county  
7 in the judicial district, against which there is no valid objection: *Provided,*  
8 that when the action is pending in either the circuit or superior court of  
9 Cook county, and the only cause for the change of venue apply to one or  
10 more, but not all of the judges of such court, the case may be tried before  
11 some one of the judges of such court to whom the causes do not apply.





1. Introduced by Mr. Hunt, April 22, 1891, and ordered to first reading.
2. First reading April 22, 1891, and referred to Committee on Appropriations.
3. Reported back April 29, 1891, passage recommended, and ordered to second reading.

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## A BILL

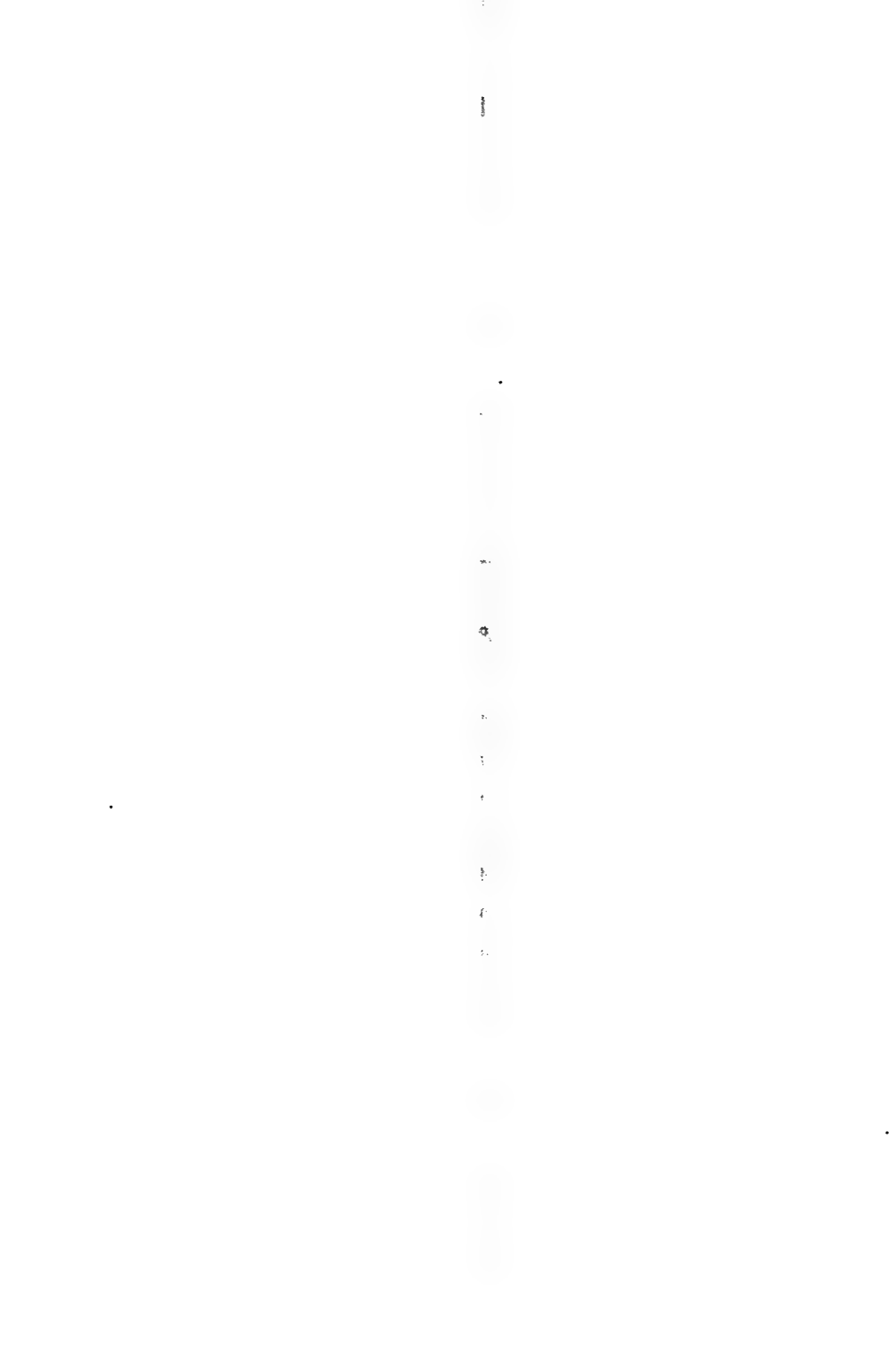
For an act making an appropriation in aid of the Illinois Dairymen's Association.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the sum of fifteen hundred dollars per annum  
3 be and the same is hereby appropriated to aid the Illinois Dairymen's As-  
4 sociation in compiling, publishing and distributing its report.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his  
2 warrant upon the State Treasurer for the sum in this act specified, on bills  
3 of particulars certified to by the officials of said association, to the order of  
4 the president of said association, and the State Treasurer shall pay the  
5 same out of any funds in the State treasury not otherwise appropriated.



1. Introduced by Mr. Bass April 22, 1891, and ordered to first reading.
2. First reading April 22, 1891, and referred to Committee on Municipalities.
3. Reported back April 24, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections 42d, 42e and 53, chapter 38, of the criminal code.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section 42d of chapter 38 of the criminal code  
3 be so amended that it will read as follows: It shall be unlawful for any  
4 person having the care and custody of any child, willfully to cause or  
5 permit the life of such child to be endangered or the health of such child  
6 to be injured, or to willfully cause or permit such child to be placed in  
7 such a situation that its life or health may be endangered, or to cause or  
8 permit such child to be overworked, cruelly beaten, tortured, tormented or  
9 mutilated.

10 And that section 42e of said chapter 38 be so amended that it will read  
11 as follows: Any person convicted under the provisions of the preceding  
12 sections shall for the first offense be fined not exceeding one hundred dollars  
13 (\$100) or imprisonment in the county jail not exceeding three months, or  
14 both, in the discretion of the court; and upon conviction for a second or  
15 any subsequent offense, shall be fined in any sum not exceeding two hun-  
16 dred dollars (\$200) or imprisonment in the penitentiary for a term not ex-  
17 ceeding two years, or both, in the discretion of the court.

18 And that section 53 of said chapter 38 be so amended that it will read as  
19 follows: Any person who shall willfully and unnecessarily expose to the  
20 inclemency of the weather, or shall in any other manner injure in health  
21 or limb, any child, apprentice, or other person under his legal control, shall  
22 be fined not exceeding two hundred dollars (\$200), or imprisonment in the  
23 penitentiary not exceeding five years.

24 Any fine mentioned in this act may be sued for and recovered before any  
25 justice of the peace of the proper county in which the offense shall have  
26 been committed, in the name of the People of the State of Illinois, and in  
27 case of conviction the offender shall stand committed to the county jail  
28 until the judgment and costs are fully paid.

1. Introduced by Committee on County and Township Organization, April 23, 1891, and ordered to first reading.
2. First reading April 23, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section one (1) of an act entitled "An act to provide for the establishment and maintenance of county poor houses in counties where the separate support of paupers has been adopted," approved May 23, 1877, in force July 1, 1877.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act to provide for the establishment and maintenance of county poor houses in counties where the separate support of paupers has been adopted," approved May 23, 1877, in force July 1, 1877, be amended to read as follows:

Section 1. The county board of any county that has heretofore adopted, or may hereafter adopt, the separate support of paupers, may, at any time, by a vote of a majority of the members elected to the board, abandon such separate support of paupers, and such abandonment by the county board shall have the same force and effect as the abandonment of such separate support by vote of the electors of the county in the manner provided in section thirty-five (35) of an act entitled "An act to revise the law in relation to paupers," of the revised statutes of 1874. And upon such abandon-

ment, the county board by a vote of a majority of all the members elected  
to the board, may establish and maintain a county poor house, and for this  
purpose shall have all the powers given to county boards by section  
twenty-eight (28) of an act entitled "An act to revise the law in relation to  
paupers," of the revised statutes of 1874.

1. Introduced by Mr. Bass April 23, 1891, and ordered to first reading.
2. First reading April 23, 1891, and referred to Committee on Municipalities.
3. Reported back May 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the connecting or extending of boulevards and pleasure drives by viaducts, bridges and subways.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* the corporate authorities of cities, villages and incorporated towns are authorized to connect or extend any boulevards or pleasure drives, whether under their control or that of other authorities, by viaducts or subways constructed over or under any public street or alley, either across the same or along any portion thereof or over or under any railroad or any public or private property, or may make such connection or extension across any rivers or canals by subways under or bridges over the same.

§ 2. The cost of constructing such viaducts, bridges and subways, and when the same is constructed over or under any private property, the cost of ascertaining and making just compensation for the damages, if any, thereto, shall be met and provided for in accordance with article nine (9) of an act of the General Assembly entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872, and

7 all amendments thereto.

§ 3. Said corporate authorities may by ordinance regulate, restrain and  
2 control the use of said viaducts, bridges and subways and make the same  
3 pleasure driveways for pleasure driving only, and may prescribe in such  
4 ordinances such fines and penalties for the violation thereof as they are  
5 allowed by law to prescribe for the violation of other ordinances.

§ 4. Whenever the said boulevards or pleasure drives connected or extended  
2 as aforesaid are under the charge or control of any board of park commis-  
3 ers, and any such connection or extension is within the park district of  
4 said board, the said corporate authorities may, on the completion thereof,  
5 turn it over to such board if it will accept the same, to be controlled and  
6 maintained in the same manner as the boulevards or pleasure drives already  
7 under its control and management; and when such connection or extension  
8 is in different park districts they may, if it will accept the same, turn over  
9 the portion thereof in each district to its park board to be so controlled and  
10 maintained by it.



- 1 Introduced by Mr. Bass, April 23, 1891, and ordered to first reading.
- 2 First reading April 23, 1891, and referred to Committee on Municipalities.
- 3 Reported back May 1, 1891, passage recommended, and ordered to second reading.
- 4 Second reading June 3, 1891, amended, and ordered to a third reading.

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## A BILL

For an act to provide for the connecting or extending of boulevards and pleasure drives by viaducts, bridges and subways.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the corporate authorities of cities, villages  
3 and incorporated towns are authorized to connect or extend any boulevards  
4 or pleasure drives, whether under their control or that of other authorities,  
5 by viaducts or subways constructed over or under any public street or alley,  
6 either across the same or along any portion thereof or over or under any  
7 railroad or any public or private property, or may make such connection or  
8 extension across any rivers or canals by subways under or bridges over the  
9 same.

10 2. The cost of constructing such viaducts, bridges and subways, and  
11 when the same is constructed over or under any private property, the cost  
12 of ascertaining and making just compensation for the damages, if any thereto,  
13 shall be met and provided for by special assessment levied in accordance  
14 with article nine (9) of an act of the General Assembly entitled "An act to  
15 provide for the incorporation of cities and villages," approved April 10, 1872,  
16 and in force July 1, 1872, and all amendments thereto: *Provided,* that the

8 ordinance providing for the improvement shall fix the limits beyond which  
9 the assessment therefor shall not be spread.

§ 3. Said corporate authorities may by ordinance regulate, restrain and  
2 control the use of said viaducts, bridges and subways and make the same  
3 pleasure driveways for pleasure driving only, and may prescribe in such  
4 ordinances such fines and penalties for the violation thereof as they are  
5 allowed by law to prescribe for the violation of other ordinances.

§ 4. Whenever the said boulevards or pleasure drives connected or extended  
2 as aforesaid are under the charge or control of any board of park commis-  
3 sioners, and any such connection or extension is within the park district of  
4 said board, the said corporate authorities may, on the completion thereof,  
5 turn it over to such board if it will accept the same, to be controlled and  
6 maintained in the same manner as the boulevards or pleasure drives already  
7 under its control and management; and when such connection or extension  
8 is in different park districts they may, if it will accept the same, turn over  
9 the portion thereof in each district to its park board to be so controlled and  
10 maintained by it.

1. Introduced by Mr. Secrest, April 23, 1891, and ordered to first reading.
2. First reading April 23, 1891, and referred to Committee on Appropriations.
3. Reported back May 6, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to appropriate money to pay for services rendered for the State of Illinois in cases pending before the Commission of Claims.

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*Enacted by the People of the State of Illinois, represented in the General Assembly.* That there is hereby appropriated to E. D. Richmond, former states attorney of Marshall county, for sixteen days services in taking testimony on behalf of the State of Illinois, in sundry cases pending before the Commission of Claims, at the sessions thereof in 1889 and 1890, the sum of eighty dollars (\$80); and to John B. Wright for notarial services in the case aforesaid, six dollars.

2. The Auditor of Public Accounts shall draw warrants in favor of said persons for the amounts respectively herein appropriated, taking from each of said persons a receipt acknowledging payment in full for such services, and the State Treasurer shall pay the same out of any money in the treasury not otherwise appropriated.



1. Introduced by Mr. Secrest, April 23, 1891, and ordered to first reading.
2. First reading April 23, 1891, and referred to Committee on Appropriations.
3. Reported back May 6, 1891, passage recommended, and ordered to second reading.
4. Second reading May 13, 1891, amended and ordered to third reading.

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## A BILL

For an act to appropriate money to pay for services rendered for the State of Illinois in cases pending before the Commission of Claims.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there is hereby appropriated to E. D. Richmond, former State's attorney of Marshall county, for sixteen days' services in taking testimony on behalf of the State of Illinois, in sundry cases pending before the Commission of Claims, at the sessions thereof in 1889 and 1890, the sum of eighty dollars (\$80); and to John B. Wright for notarial services in the case aforesaid, six dollars. To Leonard C. McMurtrie, for notarial services and taking evidence on behalf of the State in fifteen cases pending before the Commission of Claims, \$33; to James B. Martin, for witness fees, \$2.10; to Henry E. Wier, witness fees, \$2.30; to John Wier, witness fees, \$3.50; to Philip Lang, witness fees, \$2.10; to Frederick Gasade, witness fees, \$2.20; to Warford Bonham, witness fees, \$2.40; to H. B. Bonham, witness fees, \$3.40; to W. P. Wilks, constable fees, \$2.95;

1881 The Auditor of Public Accounts shall draw warrants in favor of

2 said persons for the amounts respectively herein appropriated, taking from

3 each of said persons a receipt acknowledging payment in full for such ser-

4 vices, and the State Treasurer shall pay the same out of any money in the

5 treasury not otherwise appropriated.

## A BILL

For an act to appropriate money to pay for services rendered for the State of  
Illinois in cases pending before the Commission of Claims.

Section 1. Be it enacted by the People of the State of Illinois, represented  
2 by the Senate and House of Representatives, that there is hereby appropriated to E. D. Rich-  
3 ardson, former State Attorney, \$10,000, half yearly, for sixteen days' services  
4 in taking testimony on behalf of the State of Illinois in sundry cases pend-  
5 ing before the Commission of Claims at the sessions thereof in 1880 and  
6 1881, the said E. D. Richardson being \$200 and 1 John B. Wright for notarial  
7 services in the case above said, six dollars; To Leonard C. McMurtrie, for  
8 notarial services and taking evidence on behalf of the State in fifteen cases  
9 pending before the Commission of Claims, \$200 to James B. Martin, for wit-  
10 ness fees \$200 to Henry B. Wier, witness fees \$200 to John Wier, witness  
11 fees \$200 to Philip B. Wier, witness fees \$200 to Frederick Garabed, witness  
12 fees \$200 to William Bonham, witness fees \$200 to H. B. Bonham, wit-  
13 ness fees \$200 to W. H. Wier, notary fees \$200.

1. Introduced by Mr. Theile, April 23, 1891, and ordered to first reading.
2. First reading April 23, 1891, and referred to Committee on Municipalities.
3. Reported back with amendments May 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 14 of article 6 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 14, of article 6, of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, be and the same is hereby amended so as to read as follows:

Section 14. The aldermen and trustees may receive such compensation for their services as shall be fixed by ordinance: *Provided, however,* that in cities and villages of less than one hundred thousand (100,000) inhabitants such compensation shall not exceed three dollars to each alderman or trustee for each meeting of the city council or board of trustees actually attended by him, and in cities and villages of one hundred thousand (100,000) inhabitants or over, such compensation shall not exceed one thousand dollars (\$1,000) per annum to each alderman or trustee, and no other compensation shall be allowed to any alderman or trustee for any service whatsoever. Such compensation shall not be changed after it has

11 once been established so as to take effect as to any alderman or trustee  
12 voting for such change during his term of office.

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**AMENDMENT PROPOSED BY COMMITTEE ON MUNICIPALITIES TO  
SENATE BILL NO. 357.**

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**Amend by striking out in lines 7 and 8 the words and figures "one thousand dollars (\$1,000.00)" and insert the words and figures "fifteen hundred dollars (\$1,500.00)."**



1. Introduced by Mr. Campbell April 23, 1891, and ordered to first reading.
2. First reading April 23, 1891, and referred to Committee on Insurance.
3. Reported back May 14, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to provide for the issuing of life insurance and beneficiary certificates by life insurance companies and beneficiary societies doing business in the State of Illinois.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be the duty of any company or society issuing life policies or beneficiary certificates in the State of Illinois to make such policies or certificates incontestable six months from the date of issue.



1. Introduced by Committee on Judiciary, April 24, 1891, and ordered to first reading.
  2. First reading April 24, 1891, passage recommended and ordered to second reading.
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## A BILL

For an act to amend sections two (2) and four (4) and to repeal section three (3) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by act approved June 16, in force July 1, 1887.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section two (2) and four (4) of an act entitled "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by act approved June 16, in force July 1, 1887, be and the same is hereby amended so as to read as follows:

SECTION 2. Such instrument shall be acknowledged before any clerk of a court of record, notary public or justice of the peace. When taken before a notary public the same shall be attested by his official seal, when taken before a clerk of a court of record the same shall be attested by the seal of such court, and when taken before a justice of the peace in other county than that in which such instrument is entitled to be recorded there shall be added the certificate of the county clerk of the county where such justice of the peace resides under his seal of office that the person taking

9 such acknowledgement was a justice of the peace in said county where such  
 10 acknowledgement was so taken at the time of the taking thereof. The cer-  
 11 tificate of acknowledgement may be in the following form:

12 This (name of instrument) was acknowledged before me by (name of  
 13 grantor) this ..... day of ..... 18... Witness my hand and  
 14 seal.

15 [SEAL.] (Name of Officer.)

Section 4. Such mortgage, trust deed or other conveyance of personal  
 2 property, acknowledged as provided in this act, shall be admitted to record  
 3 by the recorder of the county in which the mortgagor shall reside at the  
 4 time when the instrument is executed and recorded, or in case the mort-  
 5 gator is not a resident of this State then in the county where the property  
 6 is situated and kept, and shall thereupon, if bona fide, be good and valid  
 7 from the time it is filed for record until the maturity of the entire debt or  
 8 obligation, *or extension thereof made as hereinafter specified: Provided, such*  
 9 *time shall not exceed two years, from the filing of the mortgage,* unless  
 10 *within thirty days next preceding the expiration of such two years;* or if the  
 11 said debt or obligation matures within such two years, then within thirty  
 12 days next preceding the maturity of said debt or obligation the mortgagor  
 13 and mortgagee, their agent or attorney shall file for record in the office of  
 14 the recorder of deeds of the county where the original mortgage is recorded  
 15 an affidavit setting forth particularly the interest which the mortgagee has  
 16 by virtue of such mortgage in the property therein mentioned, and if such  
 17 mortgage is for the payment of money, the amount remaining unpaid  
 18 thereon, and the time when the same will become due by extension or  
 19 otherwise; which affidavit shall be recorded by such recorder, and there-  
 20 upon the mortgage lien originally acquired shall be continued and ex-  
 21 tended for and during the term of two years from the filing of such affi-  
 22 davit, or until the maturity of the indebtedness or extension thereof se-

23 cuted by said mortgage: *Provided*, such time shall not exceed two years  
24 from the date of filing such affidavit.

§ 2. Section three (3) of an act entitled "An act to revise the law in re-  
2 lation to mortgages of real and personal property," approved March 26,  
3 1874, in force July 1, 1874, be and the same is hereby repealed.



1. Introduced by Committee on Judiciary April 24, 1891, and recommended to be printed for use of Committee.

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## A BILL

For an act in relation to liens.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That any person who shall, by contract, expressed or implied, or partly expressed or implied, with the owner or agent of the owner of any lot or piece of land, furnish labor or materials, or services as an architect, or superintendent in building, altering, repairing or ornamenting any house or other building or appurtenance thereto on such lot, or upon any street or alley, and connected with such building or appurtenance, shall have a lien upon the whole of such tract of land or lot, and upon such house or building and appurtenance, for the amount due to him for such labor, material or services.

§ 2. The lien provided for in sections 1 and 30 of this act shall extend to an estate in fee, for life, for years, or any other estate, or any right of redemption or other interest which such owner may have in the lot or land at the time of making the contract.

§ 3. When the contract is expressed, no lien shall be created under this act, if the time stipulated for the completion of the work or furnishing materials is beyond three years from the commencement thereof, or the time of payment beyond one year from the time stipulated for the comple-

tion thereof. If the work is done or materials furnished under an implied contract, or partly expressed and partly implied, no lien shall be had by virtue of this act, unless the work shall be done or materials be furnished within one year from the commencement of the work or delivery of the materials.

§ 4. The lien given by this act may be enforced by bill or petition, in any court of record of competent jurisdiction in the county in which the land or lot, or some part thereof, lies.

§ 5. The bill or petition shall contain a brief statement of the contract on which it is founded, and shall show the amount due and unpaid, a description of the premises which are subject to the lien, and such other facts as may be necessary to a full understanding of the rights of the parties.

§ 6. Upon the filing of any bill or petition under this act, summons shall issue and service thereof be had, as in suits in chancery.

§ 7. When any defendant resides or has gone out of the State, or on due inquiry cannot be found, or is concealed within the State, so that process cannot be served upon him, the complainant or petitioner may cause notice to be given to him in like manner and upon the same conditions as provided in suits in chancery.

§ 8. Suits instituted under the provisions of this act shall be placed upon the chancery docket, and stand for trial as other suits in chancery.

§ 9. For the purpose of bringing all parties in interest before the court, or for any other purpose, the court shall permit amendments to any part of the pleadings, and may issue process, make all orders requiring parties to appear, and requiring notice to be given, that are or may be authorized in proceedings in chancery, and shall have the same power and jurisdiction over the parties and subject, and the rules of practice and proceedings in



7 such cases shall be the same as in other cases in chancery, except as is  
8 otherwise provided in this act.

§ 10. Defendants shall answer the bill or petition under oath, unless the  
2 oath is waived by the complainant or petitioner, and the plaintiff shall  
3 except or reply to the answer as though the proceeding was in chancery,  
4 and by replication thereto an issue or issues shall be formed, which shall  
5 be tried by the court, or by a jury under the direction of the court, as the  
6 court may direct or the parties agree.

§ 11. When the owner or agent of the land shall have failed to perform  
2 his part of the contract by failing to advance to the contractor moneys  
3 justly due him under the contract at the time when the same should have  
4 been paid to the contractor, or has failed to perform his part of the con-  
5 tract in any other manner, and by reason thereof the other party shall,  
6 without his own default, have been prevented from performing his part, he  
7 shall be entitled to a reasonable compensation for as much thereof as has  
8 been performed in proportion to the price stipulated for the whole, and the  
9 court shall adjust his claim and allow him a lien accordingly.

§ 12. In proceedings under this act all persons interested in the subject  
2 matter of the suit, or in the premises intended to be sold, may, on appli-  
3 cation to the court wherein the suit is pending, be made or become parties  
4 at any time before final judgment.

§ 13. Parties in interest within the meaning of this act shall include all  
2 persons who may have any legal or equitable claim to the whole or any  
3 part of the premises upon which a lien may be attempted to be enforced  
4 under the provisions of this act.

§ 14. Upon questions arising between different creditors having liens  
2 under this act no preference shall be given to him whose contract was first  
3 made.

§ 15. The court shall ascertain the amount due each creditor, and shall

2 direct the application of the proceeds of sales to be made to each in pro-  
 3 portion to their several amounts.

§ 16. Parties entitled to liens under this act, whose claims are not due or  
 2 payable at the time of the commencement of suit by any other party, shall  
 3 be permitted to become parties to the suit, and their claims shall be allowed,  
 4 subject to a reduction equal to interest from the date of judgment to the  
 5 time such claims are due or payable.

§ 17. No incumbrance upon land, created before or after the making of  
 2 a contract under the provisions of this act, shall operate upon the building  
 3 erected or materials furnished until the lien in favor of the person doing  
 4 the work or furnishing the materials shall have been satisfied; and upon  
 5 questions arising between previous incumbrances and creditors the previous  
 6 incumbrance shall be preferred to the extent of the value of the land at  
 7 the time of making the contract, and the court shall ascertain, by jury or  
 8 otherwise, as the case may require, what proportion of the proceeds of any  
 9 sale shall be paid to the several parties in interest.

§ 18. Parties claiming may contest each other's rights, as well with re-  
 2 spect to amount due as with respect to their right to the benefit of the  
 3 lien hereby created; and upon all questions made by parties, the court  
 4 shall require issues of law or fact to be formed so as to bring about speedy  
 5 decision thereof.

§ 19. Any incumbrance, whether by mortgage, judgment or otherwise,  
 2 charged and shown to be fraudulent in respect to creditors, may be set  
 3 aside by the court, and the premises made subject to the claim of the com-  
 4 plainant or petitioner, freed and discharged from such fraudulent incum-  
 5 brance.

§ 20. In no case shall the want of preparation for trial of one claim  
 2 delay in respect to others, but trial shall be had upon issue between such  
 3 parties, as are prepared, without reference to issues between other parties,

4 and when one creditor shall have obtained a decree or judgment for the  
 5 amount due, the court may order a sale of the premises on which the lien  
 6 operates, or a part thereof, so as to satisfy the judgment: *Provided*, that the  
 7 court may, for good cause shown, delay making any order of sale or dis-  
 8 tribution until the rights of all parties in interest are ascertained and set-  
 9 tled by the court.

§ 21. Whatever right or estate such owner or agent had in the land at  
 2 the time of making the contract, may be sold, and the proceeds of sale ap-  
 3 plied according to the provisions of this act.

§ 22. If any part of the premises can be separated from the residue, and  
 2 sold without damage to the whole, and if the value thereof is sufficient to  
 3 satisfy all the claims proved in the cause, and the court may order a sale  
 4 of that part.

§ 23. The sale shall be made in the same manner as other sales of real  
 2 estate under decrees in chancery.

§ 24. Upon all sales under this act, the right of redemption shall exist  
 2 in favor of the same persons, and may be made in the same manner as is  
 3 or may be provided for redemption of real estate from sales under decrees  
 4 in chancery.

§ 25. If, upon making sale of any premises under this act, the proceeds  
 2 of such sale shall not be sufficient to pay the claims of all parties, according  
 3 to their rights, the judgment or decree shall be credited by the amount of  
 4 such sale, and a deficiency decree may be entered in favor of any creditor  
 5 whose claim is not satisfied, for the balance remaining due and unpaid, and  
 6 in case of excess of sales over the amount of the judgment or decree, such  
 7 excess shall be paid to the owner of the land, or to the person who may  
 8 be entitled to the same, under direction of the court.

§ 26. Suits may be instituted under the provisions of this act, in favor  
 2 of administrators or executors, and may be maintained against the repre-

3 representatives in interest of those against whom the cause of action accrued,  
 4 and in suits instituted under the provisions of this act the representatives  
 5 of any party who may die pending the suit shall be made parties.

§ 27. The cost of proceeding as between creditors claiming liens and the  
 2 person against whom the lien is intended to be enforced and the costs, as  
 3 between creditors aforesaid, in controversy relative to each other's claim, shall  
 4 be subject to apportionment as in other cases in chancery, and the same  
 5 rule shall prevail in respect to costs growing out of proceedings against and  
 6 between incumbrances.

§ 28. Every creditor or contractor who wishes to avail himself of the  
 2 provisions of this act shall file with the clerk of the circuit court of the  
 3 county in which the building, erection, or other improvement to be charged  
 4 with the lien is situated, a just and true statement of the account or  
 5 demand due him after allowing all credits, setting forth the time when  
 6 such material was furnished or labor performed, and containing a descrip-  
 7 tion of the property to be charged with the lien, and verified by an  
 8 affidavit. Any person having filed a claim for a lien as provided in  
 9 this section may bring suit at once to enforce the same by bill or  
 10 petition in any court of competent jurisdiction in the county where the  
 11 claim for a lien had been filed.

§ 29. No creditor shall be allowed to enforce a lien created under the  
 2 provision of this act, as against or to the prejudice of any other creditor,  
 3 or incumbrance or purchaser, unless a claim for a lien shall have been  
 4 filed with the clerk of the circuit court, as provided in section 28 of this  
 5 act, within four months after the last payment shall have become due and  
 6 payable. Suit shall be commenced within two years after filing such claim  
 7 with the clerk of the circuit court, or the lien shall be vacated.

§ 30. Every sub-contractor, or person furnishing labor or materials to a  
 2 sub-contractor, mechanic, workman or other person who shall hereafter, in

3 pursuance of the purposes of the original contract between the owner of  
 4 any lot or piece of ground, or his agent, or the husband or wife of such  
 5 owner, and the original contractor, perform any labor or furnish any  
 6 materials in building, altering, repairing, beautifying or ornamenting any  
 7 house or other buildings or appurtenance thereto, on such lot or on any  
 8 street or alley, and connected with such building or appurtenance, shall  
 9 have a lien for the value of such labor and material upon the lot or land  
 10 upon which the same stands, to the extent of the right, title and interest  
 11 of such owner at the time of making the original contract for such house  
 12 or other improvement; but the aggregate of all liens hereby authorized  
 13 shall not exceed the price stipulated in the original contract between such  
 14 owner and the original contractor for such improvements. In no case shall  
 15 the owner be compelled to pay a greater sum for or on account of such  
 16 house, building or other improvement than the price or sum stipulated in  
 17 said original contract or agreement, unless payments be made to the  
 18 original contractor, or to his order, in violation of the rights and interests  
 19 of the persons intended to be benefitted by this section of this act: *Provided,*  
 20 *however,* if in any proceeding under this act it shall appear to the court  
 21 that the owner and contractor fraudulently, and for the purpose of  
 22 defrauding sub-contractor or other person, fixed an unreasonably low price  
 23 in their original contract for the erection, alteration, reparation, beautifying  
 24 or ornamenting of such building, then the court shall ascertain how much  
 25 difference exists between the fair price for labor or material used in said  
 26 building or other improvements and the sum named in said original con-  
 27 tract. Said difference shall be considered a part of the contract, and be  
 28 subject to a lien, but in no case shall the original contractors' time or  
 29 profits be secured by this lien only so far as the sum named in the original  
 30 contract or agreement.

§ 31. The person performing such labor or furnishing such materials,

2 shall cause a notice, in writing, to be served on such owner or his agent,  
3 substantially in the following form: To ..... You are hereby notified  
4 that I have been employed by ..... to (here state whether to labor or  
5 furnish material, and substantially the nature of the undertaking or demand)  
6 upon your (here state the building and where situated, in general terms;  
7 and that I shall hold the building, or as the case may be), and your  
8 interest in the ground, liable for the amount that is or may become due  
9 me on account thereof.

10 Date .....

11 ..... Signature.

12 If there is a contract in writing between the original contractor and the  
13 sub-contractor, a copy of such sub-contract, if the same can be obtained,  
14 shall be served with such notice, and attached thereto.

§ 32. The notice required by the foregoing section may be served any  
2 time after making such sub-contract for labor or for furnishing material,  
3 but must be served before the expiration of forty days from the performing  
4 of such labor, or furnishing such material.

§ 33. In all cases where the owner cannot be found in the county in  
2 which said improvement is made, or shall not reside therein, the person  
3 furnishing labor or materials shall make an affidavit of such fact and file  
4 the same and said notice in the office of the clerk of the circuit court, who  
5 shall enter, in a book to be kept for that purpose, alphabetically, the names  
6 of the owners, and opposite thereto the names of the persons claiming liens,  
7 for which the clerk shall receive a fee of fifty cents. A copy of said notice  
8 shall be published in some newspaper printed in said county, for four suc-  
9 cessive weeks after filing such notice with the clerk as aforesaid. If, how-  
10 ever, there is no paper published in said county, then the claimant of the  
11 lien shall post notices in four of the most public places in the vicinity of  
12 said improvements.

1 § 34. No claim of any sub-contractor (or person furnishing labor or  
 2 materials to a sub-contractor), mechanic, workman or other person who shall  
 3 hereafter in pursuance of the purposes of the original contract between the  
 4 owner of any lot or piece of ground, or whose agent shall be a lien under  
 5 section 30 of this act, except so far as the owner may be indebted to the  
 6 contractor at the time of giving such notice, as aforesaid, of such claim, or  
 7 may become indebted afterward to him as such contractor: *Provided, however,*  
 8 the claim of any person for mechanical or other labor, under section 30 of  
 9 of this act, shall be a lien for twenty days from the last day's work per-  
 10 formed by such person, to an amount equal to ten per cent. of the propor-  
 11 tionate value of the contract completed up to the date of said last day's  
 12 work: *Provided,* such notice is served within twenty days from the day  
 13 when such last day's work was performed by such person serving such  
 14 notice: *And, provided, further,* this ten per cent. shall not be construed as  
 15 in addition to any per cent. that may be held back in pursuance of the terms  
 16 of the contract between the owner and the original contractor.

1 § 35. When the owner or his agent is notified as aforesaid, he may re-  
 2 tain from any money due or to become due the original contractor an  
 3 amount sufficient to pay all demands that are or will become due such sub-  
 4 contractor, or persons furnishing labor or materials to such sub-contractor,  
 5 mechanic, workman or other person so notifying him, and may pay over  
 6 the same to the persons entitled thereto. In case the amount due the  
 7 original contractor and the ten per cent. in section 34 provided is not suf-  
 8 ficient to pay such persons so entitled in full, he shall first pay all claims  
 9 for mechanical and other labor in full, if the amount due the contractor is  
 10 sufficient, if not then pro rata, but if more than sufficient the balance shall  
 11 be divided and paid to such other person pro rata in proportion to the  
 12 amounts due them respectively at the time of such payment, All payments

13 so made shall, as between such owner and contractor, be considered the  
14 same as if paid to such original contractor.

§ 36. The original contractor shall, as often as requested in writing by  
2 the owner, lessee, or his agent, make out and give to such owner, lessee, or  
3 his agent, a statement of the number of persons in his employ, and of the  
4 sub-contractors, or other persons furnishing labor or material, giving their  
5 names and how much, if anything, is due to each of them, which state-  
6 ment shall be made under oath, if required of him by such owner, lessee,  
7 or agent, in which case the sub-contractor shall, as often as requested in  
8 writing by the contractor or his agent, make out and give to the con-  
9 tractor a statement of the number of persons in his employ, or sub-con-  
10 tractors, or other persons furnishing material, giving their names, and how  
11 much, if anything, is due to each of them, which statement shall be made  
12 under oath, if required by such sub-contractor; and, if any contractor or  
13 sub-contractor shall fail to furnish such statement within five days after  
14 demand, made as aforesaid, he shall forfeit to such owner or contractor the  
15 sum of fifty dollars for every offense, which may be recovered in an action  
16 of debt before a justice of the peace.

§ 37. If the money due to the person giving such notice shall not be paid  
2 within ten days after service thereof, as aforesaid, or within ten days after  
3 the money shall become due and payable, and any money shall then be  
4 due from such owner to the original contractor, then such person may file  
5 his petition and enforce his lien, in the same manner as herinbefore pro-  
6 vided in case of original contractors, or he may sue the owner and con-  
7 tractor jointly for the amount due him, in any court having jurisdiction  
8 of the amount claimed to be due, and a personal judgment may be ren-  
9 dered thereon as in other cases.

§ 38. If execution issued on a judgment obtained before a justice of the  
2 peace shall be returned not satisfied, a transcript of such judgment may be



3 taken to the circuit court and spread upon the records thereof, and execu-  
 4 tion issue thereon as in other cases.

39. If there are several liens, under section 39, upon the same premises,  
 2 and the owner, or any person having such lien, shall fear that there is not  
 3 a sufficient amount coming to the contractor to pay all of such liens, such  
 4 owner, or any one or more persons having such lien, may file his or their  
 5 sworn bill or petition in the circuit court of the proper county, stating such  
 6 fact, and such other facts as may be sufficient to a full understanding of  
 7 the rights of the parties. The contractor and all persons having liens upon or  
 8 who are interested in the premises, so far as the same are known to or can be  
 9 ascertained by the claimant or petitioner, upon diligent inquiry, shall be  
 10 made parties. Upon the hearing, the court shall find the amount coming  
 11 from the owner to the contractor, and the amount due to each of the  
 12 persons having liens; and in case the amount found to be coming to the  
 13 contractor shall not be sufficient to discharge all the liens in full,  
 14 if claims for mechanics and other labor shall first be paid in full, if  
 15 sufficient, if not sufficient, then pro rata, the balance, if any, of the amount  
 16 so found in favor of the contractor shall be divided between the persons  
 17 entitled to such liens pro rata in proportion to the amounts so found due  
 18 them respectively. If the amount so found to be coming to the contractor shall  
 19 be sufficient to pay such liens in full, the same shall be so ordered. The  
 20 premises may be decreed to be sold for the payment of such liens as in  
 21 other cases.

40. All persons who shall be duly notified of such proceeding, and who  
 2 shall fail to prove their claims, whether the same be in judgment against  
 3 the owner or not, shall forever lose the benefit of and be precluded from  
 4 their liens and all claims against the owner.

41. Upon the filing of such bill or petition, the court may, on the

2 motion of any person interested, stay any further proceedings upon any  
3 judgment against the owner on account of such liens.

§ 42. Should the original contractor for any cause fail to complete his  
2 contract, any person entitled to a lien as aforesaid may file his petition in  
3 any court of record, against the owner and contractor, setting forth the  
4 nature of his claim, the amount due, as near as may be, and the names of  
5 the parties employed on such house or other improvement subject to liens;  
6 and stating such other facts as may be necessary to a full understanding  
7 of the right of the parties; all persons having liens or who are interested  
8 in the premises so far as they can be ascertained by the petitioner upon  
9 diligent inquiry shall be made parties upon the hearing of said petition  
10 like proceedings as near as may be, provided herein in sections 39, 40  
11 and 41, the court finding the amounts which the evidence shall show work  
12 and materials to be reasonably worth, according to the original contract  
13 price, first deducting so much as shall have been rightfully paid on said  
14 original contract by the owner, and damages, if any, that may be found to  
15 be occasioned the owner by reason of the non-fulfillment of the original  
16 contract.

§ 43. No payments to the original contractor or to his order shall be  
2 regarded as rightfully made, if made in violation of the rights and interests  
3 of the persons intended to be benefitted by this act.

§ 44. No petition shall be filed or suit commenced to enforce the lien  
2 created by section 30, unless the same is commenced within three months  
3 from the time of the performance of the sub-contract, or doing the work of  
4 furnishing the materials, as aforesaid; *Provided*, if any delay in filing such  
5 petition or commencing such suit is caused in consequence of the amount not  
6 being due the original contractor, the time of such delay shall not be  
7 reckoned.

§ 45. Hotel, inn and boarding-house keepers shall have a lien upon the

2 baggage and other valuables of their guests or boarders brought into such  
 3 hotel, inn or boarding-house by such guests or boarders, for the proper  
 4 charges due from such guests or boarders for their accommodations, board  
 5 and lodgings, and such extras as are furnished at their request.

§ 46. Stable keepers and any persons shall have a lien upon the horses,  
 2 carriages and harness kept by them, for the proper charges due for the  
 3 keeping thereof and expenses bestowed thereon, at the request of the owner  
 4 or the person having the possession thereof.

§ 47. Agisters and persons keeping, yarding, feeding or pasturing domestic  
 2 animals shall have a lien upon the animals agistered, kept, yarded or  
 3 fed, for the proper charges due for the agistering, keeping, yarding or feed-  
 4 ing thereof.

§ 48. Upon the written demand of the owner or his agent, or any person  
 2 interested in said real estate, served on the person or his agent claiming the  
 3 lien, requiring suit to be commenced to enforce the lien, such suit shall be  
 4 commenced within thirty days thereafter, or the lien shall be forfeited.

§ 49. The clerk of the circuit court where such lien shall be filed shall  
 2 endorse on every such claim for a lien filed, the date of filing, and make an  
 3 abstract thereof in a book kept for that purpose and properly indexed, con-  
 4 taining the name of the person filing the lien, the amount of the lien, the  
 5 date of filing, the name of the person against whom the lien is filed, and  
 6 a description of the property charged with the lien, and for which the per-  
 7 son filing the lien shall pay one dollar to the clerk.

§ 50. Whenever a lien has been claimed by filing the same with the  
 2 clerk of the circuit court and is afterwards paid, the person filing the same  
 3 shall acknowledge satisfaction thereof in the proper book, in such office, in  
 4 writing, and on neglect to do so for ten days after the claim has been paid  
 5 he shall forfeit to the owner the sum of twenty-five dollars.



1. Introduced by Mr. Caldwell April 24, 1891, and ordered to first reading.
2. First reading April 24, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments, May 21, 1891, passage recommended, and ordered to second reading.

## A BILL

For an act to provide for the payment of certain amounts found to be due and owing by the Commissioners of Claims from the State of Illinois to certain persons herein named.

### SECTION 1. *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That a sum not exceeding \$1,450.00 be and the same is hereby appropriated out of any money in the State treasury not otherwise appropriated, to pay the amounts found to be due from the State of Illinois by the Commissioner of Claims at its session of 1890, and that said money be paid as follows, to-wit:

To Lee Hickox	\$ 450.00
To Huston M. Cranford	1,000.00

§ 2. The said sums hereby appropriated shall be in full satisfaction of all matters claimed for by said claimants respectively in their several statements of claims, as the same were filed with the Auditor of Public Accounts and ex-officio clerk of said Commission of Claims; and the Auditor shall issue his warrant on the State Treasurer for the amount herein to said several claimants or their legal representatives, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

**AMENDMENT PROPOSED TO SENATE BILL NO. 861 BY THE COM-  
MITTEE ON APPROPRIATIONS.**

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Amend section 2 by adding thereto the following: "*Provided*, the amounts hereby appropriated shall be paid out of any moneys appropriated for the use of the Illinois National Guard.

1. Introduced by Mr. Shumway, April 24, 1891, and ordered to first reading.
2. First reading April 24, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back with amendments April 30, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 38 of article 3, entitled "An act to establish and maintain a system of free schools," approved May 21, 1889, in force May 21, 1889.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 38 of article 3, of an act entitled  
3 "An act to establish and maintain a system of free schools," approved May  
4 21, 1889, in force May 21, 1889, be and the same is hereby amended so as to  
5 read as follows:

6 Upon petition of not less than fifty voters of any school township, filed  
7 with the township treasurer at least fifteen days preceding the regular elec-  
8 tion of trustees, it shall be the duty of said treasurer to notify the voters  
9 of said township that an election "For" or "Against" a township high  
10 school will be held at the said next regular election of trustees, by posting  
11 notices of such election in at least ten of the most public places throughou  
12 such township, for at least ten days before the day of such regular election,  
13 which notices may be in the following form, viz.

14 High School Election. Notice is hereby given that on Saturday, the ....

15 day of April, A. D. ...., an election will be held at ..... for  
 16 the purpose of voting "For" or "Against" the proposition to establish a  
 17 township high school for the benefit of township No. ...., range No. ....  
 18 The polls for said election will be open at ..... and close at .....  
 19 o'clock of said day.

20  
 21

A. B.,

Township Treasurer.

22 *Provided*, that when any city in this State, having a population of not  
 23 less than one thousand and not over one hundred thousand inhabitants,  
 24 lying within two townships, then that township in which a majority of the  
 25 inhabitants of said city shall reside shall, together with said city, consti-  
 26 tute a school township under this act for high school purposes.

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**PROPOSED AMENDMENT TO SENATE BILL No. 362, BY THE COMMIT-  
 TEE ON EDUCATION AND EDUCATIONAL INSTITUTIONS.**

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Amend section 1 in proviso by striking out after the word "inhabitants"  
 the word "lying" and insert the word "lies"; also amend by adding the words  
 "or more" between "two" and "township" and striking out the word "shall"  
 after the word "city" in line 25 of the proviso.



1. Introduced by Joint Committee to Investigate Chicago Live Stock Exchange, April 28, 1891, and ordered to first reading.
2. First reading April 28, 1891.
3. Referred to Committee on Agriculture, Horticulture and Farm Drainage, April 30, 1891.
4. Reported back May 7, 1891, and ordered to second reading.

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## A BILL

For an act to prevent combinations to obstruct the sale of live stock in the State of Illinois.

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SECTION 1 *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That it shall be unlawful for any two or more per  
3 sons or corporations to combine or agree together to do any act which will  
4 in any respect prevent any person from buying live stock at any place in  
5 this State from any person having the same for sale, either for himself or  
6 as the representative or agent of the owner of the same.

§ 2. It shall be unlawful for any corporation organized under the laws  
2 of this State, or any board of directors or trustees or stockholders or agents  
3 or officers of any corporation to have, pass or enforce any rule, by-law or  
4 regulation, whereby any officer, stockholder, member, shareholder, agent,  
5 servant thereof or any other person in any way interested in or connected  
6 with such corporation shall in any respect be prohibited, prevented or en-  
7 joined from buying live stock from any other person having such live stock  
8 for sale, either as owner thereof or as the agent, representative or assistant  
9 of such owner, in any market in this State where live stock is brought to  
10 be sold.

§ 3. Every rule, regulation or by-law of any corporation doing business in this State, which has for its purpose or which directly or indirectly tends to prevent its members or stockholders from freely purchasing live stock from any person lawfully having the same for sale upon any live stock market of this State, are hereby declared to be contrary to the public policy of this State and unlawful and void, and any person or persons who shall attempt directly or indirectly to enforce any such rule, regulation or by-law shall be deemed guilty of a misdemeanor, and in addition to the penalties prescribed by this act shall be personally liable for all damages which may arise from the enforcement of such rule, regulation or by-law to any person damaged thereby.

§ 4. No trusts, combinations or conspiracies shall be organized or exist in this State to prevent any person or persons, or corporation from selling live stock on commission for such an amount of commission as any person engaged in the business may see fit to charge, and all rules, regulations, by-laws or agreements of any corporation, association, society or combination of persons, whereby any such corporation, society, association or combination of individuals are required to charge not less than a given sum for commissions, or whereby any person or commission merchant is in any respect restrained from charging less than a certain fixed sum for his services as such commission merchant in the sale of live stock, are hereby declared to be contrary to the public policy of this State and unlawful; and any person who shall enter into any such trust, combination or conspiracy, or who shall enforce or aid, abet, assist or encourage the enforcement of any such rule, regulation, by-law or agreement, shall be liable to the penalties prescribed by this act and also shall be personally liable to any person, individual, society or corporation who may be injured in his property or business thereby to the full extent of the injury resulting therefrom.

§ 5. Whoever shall directly or indirectly be a party to any combination,

2 conspiracy or association which attempts directly or indirectly to prevent  
3 any other person from freely selling live stock at any market in this State  
4 for such persons as see fit to engage his services, or shall endeavor to  
5 compel directly or indirectly any person to charge not less than a fixed  
6 minimum sum for services in the sale of live stock, or shall in any way  
7 hinder or prevent another from lawfully selling live stock for another for  
8 such rate of commissions as may be agreed upon by the owner of the live  
9 stock and the commission merchant, shall be deemed guilty of a misde-  
10 meanor and suffer the penalties prescribed by this act, and shall be person-  
11 ally liable to any one aggrieved thereby for the full amount of any damage  
12 sustained by such person.

§ 6. Any one who shall violate the provisions of this act shall be pun-  
2 ished by a fine in any sum not less than five hundred dollars and not more  
3 than five thousand dollars, or by imprisonment in the county jail not ex-  
4 ceeding one year, or by either or both, in the discretion of the court, and  
5 shall be liable in a civil action to any person aggrieved in such damages as  
6 he or she may have sustained by the violation of this act.



1. Introduced by Mr. Noonan, April 28, 1891, and ordered to first reading.
2. First reading April 28, 1891, and referred to Committee on Municipalities.
3. Reported back April 29, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section four of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872.

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*Section 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section 4 of Article VI of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, be and the same is hereby amended so as to read as follows:*

*Section 4. All officers of any city or villages, whether elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation:*

*I do solemnly swear (or affirm as the case may be) that I will support the constitution of the United States and the constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ according to the best of my ability.*

*Which oath or affirmation, so subscribed, shall be filed in the office of the clerk. And all such officers, except aldermen and trustees, shall before entering upon the duties of their respective offices, execute a bond with security, to be approved by the city council or board of trustees, payable to the city or village, in such penal sum as may, by resolution or ordinance,*

13 be directed, conditioned for the faithful performance of the duties of the  
14 office and the payment of all moneys received by such officer, according to  
15 law and the ordinances of said city or village: *Provided, however,* that in  
16 no case shall the mayor's bond be fixed at a less sum than three thousand  
17 dollars (\$3,000); nor shall the treasurer's bond be fixed at a less sum than  
18 the amount of the estimated tax and special assessments for the current  
19 year, unless the treasurer shall be required, as provided by section nine of  
20 Article VII of this act, to keep all moneys in his hands belonging to the  
21 corporation in some designated place or places of deposit, and in that event  
22 his bond shall be fixed by the city council or board of trustees at a sum  
23 not less than five (5) per cent. of such estimated tax and special assessments,  
24 which bonds shall be filed with the clerk (except the bond of the clerk,  
25 which shall be filed with the treasurer).

§ 2. Whereas, an emergency exists, this act shall be in force and take  
2 effect from and after its passage.

1. Introduced by Mr. Sheridan April 28, 1891, and ordered to first reading.
2. First reading April 28, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back May 7, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section forty of an act entitled "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872.

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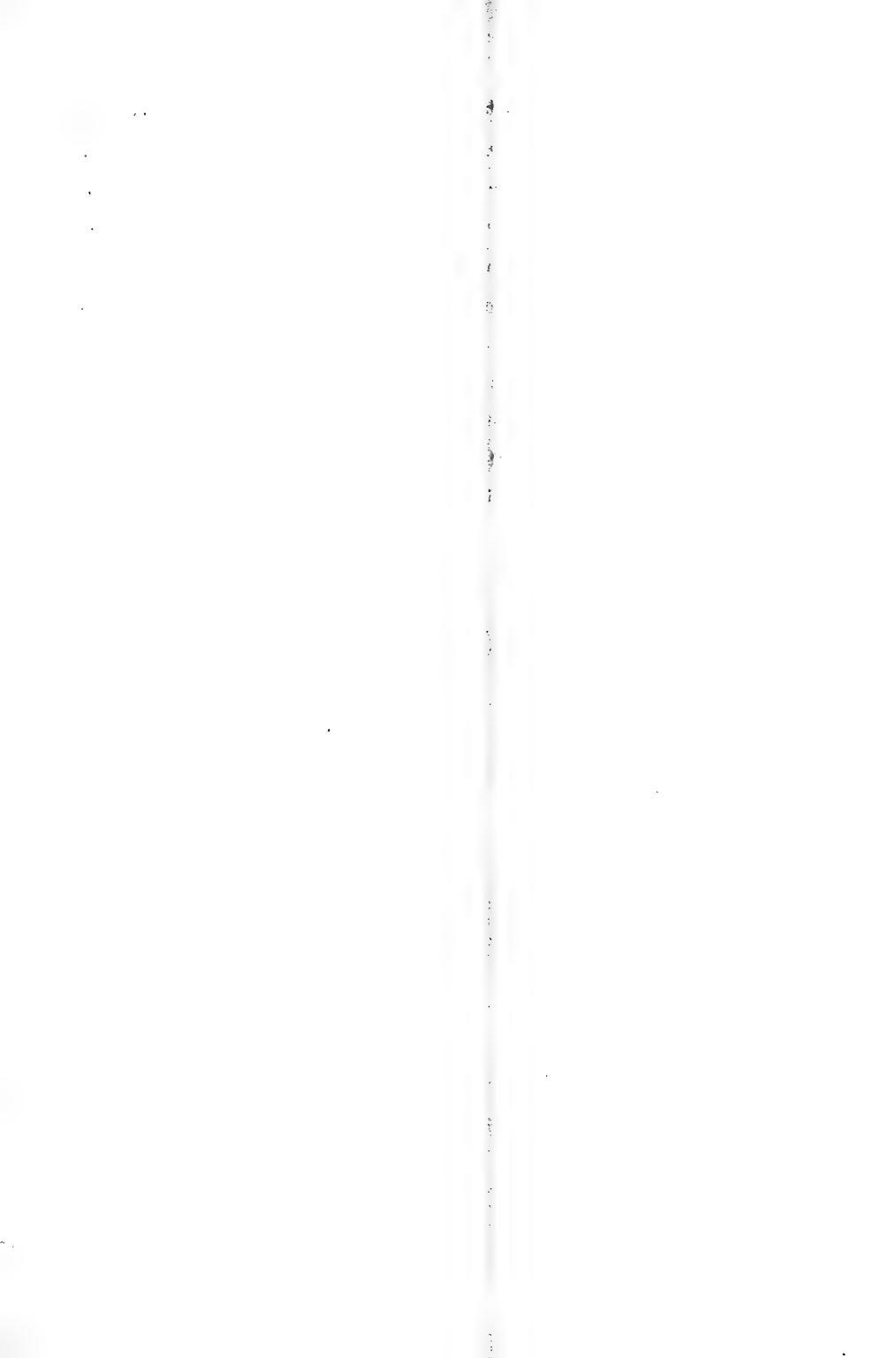
*SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That section forty (40) of said act be and the same is hereby amended so as to read as follows, to-wit:*

- Section 40. For taking and certifying acknowledgment of a deed, mortgage, power of attorney, or other writing, twenty-five cents.*
- For acknowledgment of chattel mortgage, thirty-five cents, and fifteen cents for each folio over one hundred words for docketing the same.*
- For administering oath to affidavit, when drawn by justice, thirty-five cents.*
- For administering oath to affidavit when not drawn by justice, ten cents.*
- For taking each bond, thirty-five cents.*
- For taking bail, fifty cents.*
- For each certificate required to be made when not part of any other act, thirty-five cents.*
- For taking each complaint in writing under oath, thirty-five cents.*

- 13 For docketing each suit, twenty-five cents.
- 14 For taking deposition, for each one hundred words, fifteen cents.
- 15 For issuing dedimus to take deposition of witnesses, fifty cents.
- 16 For entering verdict of jury, fifteen cents.
- 17 For entering judgments, twenty-five cents.
- 18 For issuing each execution, twenty-five cents.
- 19 For entering continuance or any other order in the case, fifteen cents.
- 20 For entering each appeal, twenty-five cents.
- 21 For entering satisfaction of judgment, ten cents.
- 22 For entering the award of referees, fifty cents.
- 23 For administering oaths and trial, making all entries in cases of estrays
- 24 and making and transmitting a certificate thereof to the county clerk, \$1.
- 25 For each marriage ceremony performed, and certificate thereof, \$2.
- 26 For each mittimus, thirty-five cents.
- 27 For giving each notice, twenty-five cents.
- 27 For administering oath, five cents.
- 29 For each summons or warrant, twenty-five cents.
- 30 For each subpoena, twenty-five cents.
- 31 For each venire, in all cases, twenty-five cents.
- 32 For each scire facias, thirty-five cents.
- 33 For issuing each attachment or writ of possession, fifty cents.
- 34 For taking recognizances and returning the same, fifty cents.
- 35 For transcript in change of venue, fifty cents.
- 36 For transcript of judgment and proceedings in cases of appeal, fifty cents.
- 37 For transcript of judgment to obtain lien on real estate, \$1.
- 38 For the trial of all contested cases, in counties of the first and second
- 39 class, a per diem of \$2, except in cases of judgment by confession or de-
- 40 fault.
- 41 In all counties of the first and second class the fees of the justices of the



42 peace, police magistrates, constables, jurors and witnesses in criminal cases,  
43 shall be the same as those allowed for similar services in civil cases; and  
44 in all criminal cases where the fees cannot be collected by the party con-  
45 victed, or where the prosecution fails, the county board shall direct that  
46 the cost of prosecution, or so much thereof as shall seem just and equitable,  
47 shall be paid out of the county treasury: *Provided*, that the costs in  
48 criminal and quasi-criminal prosecutions for the violation of an ordinance  
49 of an incorporated city or town, where the provisions of the charters of  
50 such towns or cities do not prohibit the payment of such costs, shall be  
51 paid by such city or town, in the discretion of the city council or board of  
52 trustees of such incorporated cities or towns,



- 1 Introduced by Mr. Karraker, April 29, 1891, and ordered to first reading.
  2. First reading April 29, 1891, and ordered to second reading without reference.
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## A BILL

For an act to amend section 98 of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by act approved May 22, 1877, in force July 1, 1877.

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SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That section 98 of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by act approved May 22, 1877, in force July 1, 1877, be and the same is hereby amended so as to read as follows:

Section 98. Union, January and May.



1. Introduced by Mr. Kerrick April 29, 1891, and ordered to first reading.
  2. First reading April 24, 1891, and referred to Committee on Building and Loan Associations.
  3. Reported back May 15, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to incorporate and regulate building, loan and homestead associations doing business in counties other than those in which they are organized and in counties adjacent thereto.

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*SECTION 1. Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly,* That whenever any number of persons not less than five may desire to become incorporated as a mutual building, loan and homestead association for the purpose of building and improving homesteads and loaning money to the members thereof only, and doing business in counties other than that in which the principal office is located and counties adjoining, they shall make a statement to that effect under their hands and seals, duly acknowledged before some officer in the manner provided for the acknowledgment of deeds; such statement shall set forth the name of the proposed corporation, its capital stock, its location and the duration of the corporation, which statement shall be filed in the office of the Secretary of State. The Secretary of State shall thereupon issue to such persons a license as commissioners to open books for subscription to the capital stock of said corporation, at such time and place as they may determine, but no license shall be issued to two associations having the same name.

§ 2. As soon as one hundred shares or more of the capital stock shall be

2 subscribed the commissioners shall convene a meeting of the subscribers for  
 3 the purpose of electing directors, adopting a charter and by-laws and the  
 4 transaction of such other business as may come before them. Notice shall  
 5 be given by depositing in the postoffice, properly addressed to each sub-  
 6 scribe, at least ten days before the time fixed, a written or printed notice  
 7 stating the object, time and place of such meeting. Directors of such cor-  
 8 porations organized under this act shall be elected, classified and hold their  
 9 office for such period of time as is provided by general law governing the  
 10 election and classification of directors, trustees and managers of corpora-  
 11 tions.

§ 3. The commissioners shall make a full report of their proceedings, in-  
 2 cluding therein a copy of the notice provided for in the foregoing section,  
 3 a copy of the subscription list, a copy of the charter and by-laws adopted  
 4 by the association, and the names of the directors elected, and their respec-  
 5 tive terms of office, which report shall be sworn to by at least a majority of  
 6 the commissioners, and shall be filed in the office of the Secretary of State.  
 7 The Secretary of State shall thereupon issue a certificate of the complete  
 8 organization of the corporation, making a part thereof a copy of all papers  
 9 filed in his office in and about the organization of the corporation and duly  
 10 authenticated under his hand and seal of State; and the same shall be  
 11 recorded in the office of the recorder of deeds in the county in which the  
 12 principal office of such company is located. Upon the recording of said  
 13 copy the corporation shall be deemed fully organized and may proceed to  
 14 business. Unless such company shall be organized and shall proceed to busi-  
 15 ness as provided in this act, within two years after the date of such license,  
 16 the license shall be deemed revoked and all proceedings thereunder void.

§ 4. Corporations formed under this act shall be bodies corporate and  
 2 politic for the purposes and periods for which they are organized, may sue  
 3 and be sued; may have a common seal which they may alter or renew at

4 pleasure; may purchase at sheriff's or other judicial sale, or at any other  
 5 sale, public or private, any real estate upon which such association may  
 6 have or hold mortgage, lien or incumbrance, or in which said association  
 7 may have an interest, and may sell, confer, lease or mortgage at pleasure  
 8 the real estate so purchased to any person or persons whomsoever.

1 5. The corporate powers shall be exercised by a board of directors,  
 2 provided the number of directors shall not be increased or diminished, nor  
 3 their term of office changed, without the consent of the owners of two-thirds  
 4 of the shares of stock.

5 The officers of said company shall consist of a president, vice president,  
 6 secretary and treasurer, and such other officers as may be provided for in  
 7 the by-laws of said company, to be elected at the first meeting of its board  
 8 of directors next following an annual meeting of the stockholders.

1 6. The shares of stock shall be one hundred dollars each, and shall be  
 2 deemed personal property, transferable upon the books of the company in  
 3 such manner as may be provided by the by-laws, and subscriptions therefor  
 4 shall be made payable to the corporation, and shall be payable in such  
 5 periodical installments and at such time or times as shall be determined by  
 6 the charter and by-laws; but no periodical payment shall be enforced ex-  
 7 ceeding two dollars on each share: *Provided, however,* that any stockholder  
 8 may pay part or all of his installment in advance. Every share of stock  
 9 shall be subject to a lien for the payment of unpaid installments and other  
 10 charges incurred thereon under the provisions of the charter and by-laws,  
 11 and the by-laws may prescribe the form and manner of enforcing such lien.  
 12 New shares of stock may be issued in lieu of shares withdrawn or forfeited,  
 13 and the stock may be issued in one or in successive series, as may be pro-  
 14 vided in the charter and by-laws, and at such time and in such amount  
 15 (not to exceed the total capital stock) as the board of directors may deter-  
 16 mine; and any stockholder wishing to withdraw from said corporation shall

17 have power to do so by giving thirty days' notice of his or her intention to  
18 withdraw, when he or she shall be entitled to receive the amount paid in  
19 by him or her, less all fines or other charges, and such interest thereon or  
20 such proportion of the profits thereon as the by-laws may determine;  
21 *Provided*, that at no time shall more than one-half of the funds of the  
22 treasury of the corporation be applicable to the payment of demands of  
23 withdrawing stockholders without the consent of the board of directors,  
24 and that no stockholder shall be entitled to withdraw whose stock is held  
25 in pledge for security. Upon the death of a stockholder his or her legal  
26 representatives shall be entitled to receive the full amount paid in by him  
27 or her, on all shares not borrowed upon or pledged to the association as  
28 collateral security, and legal interest thereon, first deducting all charges that  
29 may be due on the stock. No fines shall be charged to a deceased mem-  
30 ber's stock from and after his or her death, unless the legal representatives  
31 of such decedent assume the future payment of the dues on the stock.

§ 7. Married women may become subscribers to the capital stock of such  
2 association, and hold, control and transfer their stock in all respects as  
3 femme sole, and their stock shall not be subject to the control of or liable  
4 for debts of their husbands.

5 Minors may become subscribers to and owners of the stock of such asso-  
6 ciations by guardian or trustee, and such guardian or trustee may withdraw  
7 the stock of such minor, as provided in section 6 of this act; *Provided*,  
8 however, that such guardian or trustee shall give bonds to the probate court  
9 in double the amount of the withdrawal value of such stock, for the use  
10 of such minor on his or her becoming of age; but it is hereby provided that  
11 no person, as owner or legal representative of the stock of such association,  
12 shall by himself or by proxy vote at any election, when the stockholders  
13 are called upon to vote, on more than forty shares of stock.

§ 8. The board of directors shall hold stated meetings, not less frequently



2 than one each month, as may be provided by the by-laws, at which the  
3 money in the treasury, if one hundred dollars or more, shall be offered for  
4 loan in open meeting, and the stockholder who shall bid the highest  
5 premium for the preference or priority of loan shall be entitled to receive a  
6 loan of one hundred dollars for each share of stock held by such stock-  
7 holder; the said premium may be deducted from the loan in one amount, or  
8 may be paid in such proportionate amounts or installments, and at such  
9 time during the existence of the shares of stock borrowed upon, as may be  
10 designated by the by laws of the respective associations: *Provided*, that no  
11 loan shall be made by said corporation except to its own members, nor in any  
12 sum in excess of the amount of stock held by such members borrowing:  
13 *And provided*, that such stockholders may borrow such fractional part of  
14 one hundred dollars as the by laws may provide: *Provided, also*, that the  
15 foregoing provisions of this section relating to bidding for loans shall not  
16 apply to any association which shall provide in its by-laws that the rate of  
17 interest and premium shall be fixed from time to time by resolution of its  
18 board of directors. Good and ample real estate security, unincumbered,  
19 except by prior loans of such associations, shall be given by the borrower,  
20 to secure the repayment of the loan: *Provided, however*, that the stock of  
21 such association may be received as security, to the amount of the with-  
22 drawal value of such stock. All notes or bonds taken for loans shall be  
23 absolutely non-negotiable, and shall bear upon their face notice to that  
24 effect. Whenever a loan shall be secured by a trust deed, and it becomes  
25 necessary for the trustee to release such trust deed, and he shall refuse so  
26 to do, or shall be absent from the county where such real estate is located,  
27 or shall die or become incapacitated to act, then, in either case, on being  
28 authorized by the board of directors, the president and secretary of such  
29 association may release such trust deed, and all releases so made shall be  
30 valid and binding to the same extent as if made by the trustee named in  
31 the trust deed.

§ 9. In case the borrower shall neglect to offer security, or shall offer security that is not approved by the board of directors, by such time as the by-laws may prescribe, he or she shall be charged with one month's interest, together with any expenses incurred, and the money may be resold at the next stated meeting. In case of non-payment of installments, interest or fines by borrowing stockholders for the space of six months, payment of principal, interest, premium and fines, without deducting the premium paid or interest thereon, may be enforced by proceeding against such stockholders or their securities in law or equity, upon the order of the board of directors.

§ 10. A borrower may repay a loan at any time, and in the event of the repayment thereof, before the expiration of the eighth year after the organization of the association or the date of issue of the series of stock in such association on which the loan may have been made, there shall be refunded to such borrower one-eighth of the premium paid for every year of the said eight years then unexpired: *Provided*, that where the said premium has not been deducted from the loan but paid in installments there shall be no premium refunded.

§ 11. Corporations organized under this act, being of the nature of cooperative associations, therefore no premiums, fines nor interest on such premiums that may accrue to said corporations, according to the provisions of this act, shall be deemed usurious, and the same may be collected as other debts of like amount may be collected by law in this State, and all money paid to such corporation being at once loaned out and placed in taxable property, and the shares of stocks and notes provided for in this act being simply evidence as to where such money has been placed, therefore such stock and notes shall not be subject to taxation.

§ 12. No corporation or association created under this act shall cease or expire from neglect on the part of the corporation to elect officers at the

3 time mentioned in their charter and by-laws, and all officers elected by  
 4 such corporation shall hold their office until their successors are duly  
 5 elected and qualified.

§ 13. Any association incorporated under this act, or any prior act, may  
 2 extend the duration of time for which it was organized by a vote of two  
 3 thirds of its capital stock, at any annual meeting of its stockholders; there-  
 4 upon the board of directors shall transmit a copy of the proceedings of such  
 5 annual meeting, duly attested, to the Secretary of State, who shall issue  
 6 his certificate, as provided in section 3 of this act, certifying to the exten-  
 7 sion of time of duration of such association, and the same shall be recorded  
 8 as provided in said section 3 of this act, and any association incorporated  
 9 under any prior act shall be deemed as incorporated under and be vested  
 10 with all the powers given in this act the same as if such association had  
 11 been originally incorporated under it.

§ 14. No building and loan association, heretofore or hereafter incorpo-  
 2 rated under the laws of this State, shall continue to do business outside of  
 3 the county in which its principal office is located or counties adjoining  
 4 thereto, after the expiration of six months from the date upon which this  
 5 act takes effect, unless it shall have assets in first mortgages on real estate  
 6 to the amount of twenty-five thousand dollars (\$25,000), and shall have ob-  
 7 tained from the Auditor of Public Accounts of this State a certificate that  
 8 it has complied with all provisions of this act.

§ 14. No foreign building and loan association shall do business in this  
 2 State unless it has non negotiable first mortgage securities of the bona fide  
 3 value of one hundred thousand dollars (\$100,000), to be evidenced by the  
 4 certificate of the proper officer of the State in which the principal office of  
 5 such association is located, and has

6 **First** Filed such certificate with the said Auditor of this State;

7 **Second**—Filed with the said Auditor an authenticated copy of its articles

8 of incorporation or charter and by-laws, together with the address of its  
9 principal officer;

10 Third—Filed with the said Auditor a copy of its last annual, semi-annual  
11 or quarterly report of receipts and expenditures, assets and liabilities, which  
12 shall be sworn to by its proper officers;

13 Fourth—Filed with the said officer a certificate under seal of said asso-  
14 ciation, designating the name and address of an agent of such association  
15 residing within this State upon whom all process from any court in this  
16 State shall be served, and any process served on such agent shall be valid  
17 and binding on such association to the same extent as if served on an officer  
18 of said association;

19 Fifth—Pay to said Auditor the sum of \$25.00 on filing the papers and  
20 documents hereinbefore enumerated.

§ 16. When any association complies with all the requirements of this  
2 act, the said Auditor shall issue to such association desiring to do business  
3 in this State outside the county in which its principal office is located and  
4 counties adjoining thereto, a certificate stating that such association has  
5 complied with all the laws of this State, and is entitled to do business  
6 therein pursuant to the laws thereof. *Provided, however,* that said Auditor  
7 may at any time revoke such license if it shall by satisfactory evidence  
8 appear, either

9 1. That any statement or report required or authorized by this act to  
10 be made as a condition of doing or continuing such business in this State  
11 is untrue, or

12 2. That such association is insolvent or the security of its members in  
13 this State, by mismanagement or otherwise, is rendered unsafe or insecure,  
14 or

15 3. That such association has violated the laws of this State or failed to  
16 comply therewith. If such license shall be revoked as aforesaid, on notice  
17 thereof such association shall cease to do business in this State.

§ 17. No person shall solicit or receive or forward or procure subscriptions to, or shall sell or issue, or knowingly cause to be sold or issued within this State, any stock of any association which has not fully complied with the provisions of this act, or when said association has been notified to discontinue business in this State. For any violation of this section the offender shall be punished for each offense by a fine of not less than twenty five dollars, nor more than two hundred dollars, in the discretion of the court.

§ 18. No building and loan association incorporated under the laws of this State shall use for the expense of conducting its business any portion of its receipts except admission fees, and such amount as may be provided in its by-laws, not to exceed one per cent. per annum of the par value of its stock, together with the expenses of making loans to be paid by the borrower.

§ 19. On or before the first day of March of each year every building and loan association doing business in this State shall file with the said Auditor a report of its affairs and operations for the year ending on the thirty-first day of December immediately preceding. Such report shall be verified by the oath of the secretary and bookkeeper of the said association or by the oaths of three directors of said association and its bookkeeper, and shall contain the following information:

First The date when the association was incorporated, and the par value of each share of stock.

Second The number of shares sold during the year.

Third The number of shares cancelled and withdrawn during the year.

Fourth The number of shares in force at the end of the year.

Fifth A statement of receipts and disbursements during the year.

Sixth A statement of assets and liabilities at the end of the year.

Such association shall pay to said Auditor five dollars on filing his report.

§ 20. If any officer, director, agent or bookkeeper of any building and loan association subject to the provisions of this act, shall willfully fail to furnish the report required in section 19 of this act, such person or persons shall be punished by a fine of not less than ten dollars and not more than two hundred dollars, in the discretion of the court. If there be no such officer, director, bookkeeper or agent subject to the provisions of this act, then the said association shall be fined twenty-five dollars per day for every day of such delay in filing the reports provided for in section 19 of this act.

§ 21. It shall be the duty of the Auditor of Public Accounts of this State on or before the thirty-first day of December, 1891, and once in each year thereafter, to examine or cause to be examined fully and completely the affairs of every building and loan association doing business in this State, and to ascertain whether such associations are complying with the laws in all respects. Said Auditor shall have the right at any time to examine any and all books, records, papers or documents of such associations, either in person or by his duly appointed deputy. Any association, person or officer, employe or agent of such association who shall obstruct or retard said Auditor or his deputy in the performance of his said duties, or who shall fail or refuse to exhibit the books, papers, documents and records of the said association when demanded by him or his deputy, or who shall purposely absent himself from his office or from the State while the said examination is in progress, or who shall by any means willfully hinder or delay the examination aforesaid, or who shall refuse to give any information in his possession when demanded by the said Auditor or his deputy, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars and not more than two hundred dollars, or by confinement in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court. The fee for annual examination to be paid by such association in this State

22 shall be three dollars (\$3) per thousand shares in force at the time of exam-  
 23 ination: *Provided*, that no such fee shall be less than ten dollars. The fee  
 24 for examination to be paid by foreign associations shall be five dollars (\$5)  
 25 per thousand shares in force in time of the examination: *Provided*, that no  
 26 such fee shall be less than fifty dollars, and that in addition to such fee  
 27 the association shall pay all traveling expenses incurred by the said Auditor  
 28 or his deputy.

§ 22. If it shall appear from any examination required in section 21 of  
 2 this act, that the said association is violating the laws of this State, or that  
 3 it is conducting business in an unsafe manner, the said Auditor shall by an  
 4 order under his hand and seal of office, addressed to the association, point  
 5 out to it wherein it is violating the law and shall command conformity  
 6 thereto. If such association shall for thirty days thereafter fail or refuse  
 7 to comply with the law, or whenever it shall appear to said Auditor that it  
 8 is unsafe for said association to continue business, he shall communicate  
 9 the facts in writing to the Attorney General, who shall thereupon be  
 10 authorized to institute such proceeding against such association as may be  
 11 necessary in the premises. The conviction of any officer of any association  
 12 of a violation of law, shall vacate his said office without further proceed-  
 13 ings and the board of directors of such association shall forthwith fill the  
 14 same.

§ 23. No officer, agent or employe of any association subject to this act,  
 2 whose duties involve the handling of any funds or the signing or endorsing  
 3 of checks for such association, shall enter upon, or continue in his office or  
 4 employment, except he furnish such bonds for the faithful performance of  
 5 his duties as the board of directors of such association shall from time to  
 6 time require and approve.

§ 24. When by the laws of any other State, territory or nation, any  
 2 taxes, fines, penalties, licenses, fees, deposits of money or securities or other

obligations, or prohibitions, inhibitions and restrictions are imposed on building and loan associations of this State, doing business in such other State, territory or nation, or upon their agents therein, so long as such laws continue in force, the same obligations and prohibitions of whatever kind shall be imposed upon all building and loan associations of such other State, territory or nation doing business in this State and upon their agents here.

§ 25. Thirty days prior to any annual or special meeting of the stockholders or any such association, a notice stating the time and place of such meeting shall be mailed to each member at his address, as the same appears upon the books of the association, and copies of all proposed amendments to the charter or by-laws which have been approved by the board of directors or signed by fifty stockholders shall be mailed by the secretary of the association, with the notice herein provided for, and no other amendments shall be voted upon at such meeting. A majority of the stock represented at such meeting shall constitute a quorum.

§ 26. The terms, "building, loan and homestead association," "associations," or "building and loan association," when used in this act, shall be construed to mean corporations, societies, organizations or associations, doing a savings and loan or investment business on the building society plan, viz.: loaning its funds to its members only.

§ 27. Any building and loan association heretofore incorporated under the laws of this State shall be authorized to do business outside of the county in which its principal office is located or counties adjoining thereto by complying with the provisions of this act.



- 1 Introduced by Mr. Kariak April 20, 1891, and ordered to first reading.
- 2 First reading April 20, 1891, and referred to Committee on Building and Loan Associations.
- 3 Reported back May 15, 1891, passage recommended, and ordered to second reading.
- 4 Second reading June 2, 1891, amended and ordered to third reading.

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## A BILL

For an act to incorporate and regulate building, loan and homestead associations doing business in counties other than those in which they are organized and in counties adjacent thereto commonly known as National Building and Loan Associations.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whenever any number of persons not less than five may desire to become incorporated as a National Loan Association for the purpose of building and improving homesteads and loaning money to the members thereof only, and doing business in counties other than that in which the principal office is located and counties adjoining they shall make a statement to that effect under their hands and seals duly acknowledged before some officer in the manner provided for the acknowledgment of deeds; such statement shall set forth the name of the proposed corporation, and the name of each and every association hereafter organized under the provisions of this act shall end with the words National Loan Association, its capital stock, its location and the duration of the corporation, which statement shall be filed in the office of the Secre-

14 tary of State. The Secretary of State shall thereupon issue to such persons  
 15 a license as commissioners to open books for subscription to the capital  
 16 stock of said corporation, at such time and place as they may determine  
 17 but no license shall be issued to two associations having the same name

§ 2. As soon as one hundred shares or more of the capital stock shall be  
 2 subscribed the commissioners shall convene a meeting of the subscribers for  
 3 the purpose of electing directors, adopting a charter and by-laws and the  
 4 transaction of such other business as may come before them. Notice shall  
 5 be given by depositing in the postoffice, properly addressed to each sub  
 6 scriber, at least ten days before the time fixed, a written or printed notice  
 7 stating the object, time and place of such meeting. Directors of such cor  
 8 porations organized under this act shall be elected, classified and hold their  
 9 office for such period of time as is provided by general law governing the  
 10 election and classification of directors, trustees and managers of corpora  
 11 tions.

§ 3. The commissioners shall make a full report of their proceedings, in  
 2 cluding therein a copy of the notice provided for in the foregoing section,  
 3 a copy of the subscription list, a copy of the charter and by-laws adopted  
 4 by the association, and the names of the directors elected, and their respec  
 5 tive terms of office, which report shall be sworn to by at least a majority of  
 6 the commissioners, and shall be filed in the office of the Secretary of State.  
 7 The Secretary of State shall thereupon issue a certificate of the complete  
 8 organization of the corporation, making a part thereof a copy of all papers  
 9 filed in his office in and about the organization of the corporation and duly  
 10 authenticated under his hand and seal of State; and the same shall be  
 11 recorded in the office of the recorder of deeds in the county in which the  
 12 principal office of such company is located. Upon the recording of said  
 13 copy the corporation shall be deemed fully organized and may proceed to  
 14 business. Unless such company shall be organized and shall proceed to busi-

ness as provided in this act, within two years after the date of such license, the license shall be deemed revoked and all proceedings thereunder void.

§ 4. Corporations formed under this act shall be bodies corporate and politic for the purposes and periods for which they are organized, may sue and be sued; may have a common seal which they may alter or renew at pleasure; may purchase at sheriff's or other judicial sale, or at any other sale, public or private, any real estate upon which such association may have or hold mortgage, lien or incumbrance, or in which said association may have an interest, and may sell, confer, lease or mortgage at pleasure the real estates so purchased to any person or persons whomsoever: *Provided*, that no such associations shall hold possession or title of such real estate for a longer period than ten years.

§ 5. The corporate powers shall be exercised by a board of directors, provided the number of directors shall not be increased or diminished, nor their term of office changed, without the consent of the owners of two-thirds of the shares of stock.

The officers of said company shall consist of a president, vice president, secretary and treasurer, and such other officers as may be provided for in the by-laws of said company, to be elected at the first meeting of its board of directors next following an annual meeting of the stockholders.

§ 6. The shares of stock shall be one hundred dollars each, and shall be deemed personal property, transferable upon the books of the company in such manner as may be provided by the by-laws, and subscriptions therefor shall be made payable to the corporation, and shall be payable in such periodical installments and at such time or times as shall be determined by the charter and by-laws, but no periodical payment shall be enforced exceeding two dollars on each share. Every share of stock shall be subject to a lien for the payment of unpaid installments and other charges incurred thereon under the provisions of the charter and by-laws,

10 and the by-laws may prescribe the form and manner of enforcing such lien.  
 11 New shares of stock may be issued in lieu of shares withdrawn or forfeited,  
 12 and the stock may be issued in one or in successive series, as may be pro-  
 13 vided in the charter and by-laws, and at such time and in such amount  
 14 (not to exceed the total capital stock as the board of directors may deter-  
 15 mine; and any stockholder wishing to withdraw from said corporation shall  
 16 have power to do so by giving thirty days' notice of his or her intention to  
 17 withdraw, when he or she shall be entitled to receive the amount paid in  
 18 by him or her, less all fines or other charges, and such interest thereon or  
 19 such proportion of the profits thereon as the by-laws may determine;  
 20 *Provided*, that at no time shall more than one-half of the funds of the  
 21 treasury of the corporation be applicable to the payment of demands of  
 22 withdrawing stockholders without the consent of the board of directors,  
 23 and that no stockholder shall be entitled to withdraw whose stock is held  
 24 in pledge for security. Upon the death of a stockholder his or her legal  
 25 representatives shall be entitled to receive the full amount paid in by him  
 26 or her, on all shares not borrowed upon or pledged to the association as  
 27 collateral security, and legal interest thereon, first deducting all charges that  
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 4 for debts of their husbands.

5 Minors may become subscribers to and owners of the stock of such asso-  
 6 ciations by guardian or trustee, and such guardian or trustee may withdraw  
 7 the stock of such minor, as provided in section 6 of this act: *Provided*,  
 8 however, that such guardian or trustee shall give bonds to the probate court

9 in double the amount of the withdrawal value of such stock, for the use  
 10 of such miner on his or her becoming of age; but it is hereby provided that  
 11 no person, as owner or legal representative of the stock of such association,  
 12 shall by himself or by proxy vote at any election, when the stockholders  
 13 are called upon to vote, on more than forty shares of stock.

14 § 8. The board of directors shall hold stated meetings, not less frequently  
 2 than one each month, as may be provided by the by-laws, at which the  
 3 money in the treasury, if one hundred dollars or more, shall be offered for  
 4 loan in open meeting, and the stockholder who shall bid the highest  
 5 premium for the preference or priority of loan shall be entitled to receive a  
 6 loan of one hundred dollars for each share of stock held by such stock  
 7 holder, the said premium may be deducted from the loan in one amount, or  
 8 may be paid in such proportionate amounts or installments, and at such  
 9 time during the existence of the shares of stock borrowed upon, as may be  
 10 designated by the by-laws of the respective associations: *Provided*, that no  
 11 loan shall be made by said corporation except to its own members, nor in any  
 12 sum in excess of the amount of stock held by such members borrowing:  
 13 *And provided*, that such stockholders may borrow such fractional part of  
 14 one hundred dollars as the by laws may provide: *Provided, also*, that the  
 15 foregoing provisions of this section relating to bidding for loans shall not  
 16 apply to any association which shall provide in its by-laws that the rate of  
 17 interest and premium shall be fixed from time to time by resolution of its  
 18 board of directors, and that the priority of a loan shall be decided by a pri  
 19 ority of application. Good and ample real estate security, unincumbered,  
 20 except by prior loans of such associations, shall be given by the borrower,  
 21 to secure the repayment of the loan: *Provided, however*, that the stock of  
 22 such association may be received as security, to the amount of the with  
 23 drawal value of such stock. All notes or bonds taken for loans shall be  
 24 absolutely non-negotiable, and shall bear upon their face notice to that

effect. Whenever a loan shall be secured by a trust deed, and it becomes necessary for the trustee to release such trust deed, and he shall refuse so to do, or shall be absent from the county where such real estate is located, or shall die or become incapacitated to act, then, in either case, on being authorized by the board of directors, the president and secretary of such association may release such trust deed, and all releases so made shall be valid and binding to the same extent as if made by the trustee named in the trust deed.

§ 9. In case the borrower shall neglect to offer security, or shall offer security that is not approved by the board of directors, by such time as the by-laws may prescribe, he or she shall be charged with one month's interest, together with any expenses incurred, and the money may be resold at the next stated meeting. In case of non-payment of installments, interest or fines by borrowing stockholders for the space of six months, payment of principal, interest, premium and fines, without deducting the premium paid or interest thereon, may be enforced by proceeding against such stockholders or their securities in law or equity, upon the order of the board of directors.

§ 10. A borrower may repay a loan at any time, and in the event of the repayment thereof, before the expiration of the eighth year after the organization of the association or the date of issue of the series of stock in such association on which the loan may have been made, there shall be refunded to such borrower one-eighth of the premium paid for every year of the said eight years then unexpired: *Provided*, that where the said premium has not been deducted from the loan but paid in installments there shall be no premium refunded.

§ 11. Corporations organized under this act, being of the nature of cooperative associations, therefore no premiums, fines nor interest on such premiums that may accrue to said corporations, according to the provisions of this

act, shall be deemed usurious, and the same may be collected as other debts of like amount may be collected by law in this State, and all money paid to such corporation being at once loaned out and placed in taxable property, and the shares of stock and notes provided for in this act being simply evidence as to where such money has been placed, therefore such stock and notes shall not be subject to taxation.

§ 12. No corporation or association created under this act shall cease or expire from neglect on the part of the corporation to elect officers at the time mentioned in their charter and by-laws, and all officers elected by such corporation shall hold their office until their successors are duly elected and qualified.

§ 13. Any association incorporated under this act, or any association of the character described in this act incorporated under any prior act, may extend the duration of time for which it was organized by a vote of two thirds of its capital stock, at any annual meeting of its stockholders; thereupon the board of directors shall transmit a copy of the proceedings of such annual meeting, duly attested, to the Secretary of State, who shall issue his certificate, as provided in section 3 of this act, certifying to the extension of time of duration of such association, and the same shall be recorded as provided in said section 3 of this act, and any association of the character described in this act, incorporated under any prior act shall be deemed as incorporated under and be vested with all the powers given in this act the same as if such association had been originally incorporated under it.

§ 14. No building and loan association, heretofore or hereafter incorporated under the laws of this State, shall continue to do business outside of the county in which its principal office is located or counties adjoining thereto, after the expiration of six months from the date upon which this act takes effect, unless it shall have assets in first mortgages on real estate to the amount of twenty-five thousand dollars (\$25,000), and shall have ob-

7 tained from the Auditor of Public Accounts of this State a certificate that  
8 it has complied with all provisions of this act.

§ 15. No foreign building and loan association shall do business in this  
2 State unless it has non negotiable first mortgage securities of the bona fide  
3 value of fifty thousand dollars (\$50,000), to be evidenced by the  
4 certificate of the proper officer of the State in which the principal office of  
5 such association is located, and has

6 First Filed such certificate with the said Auditor of this State:

7 Second Filed with the said Auditor an authenticated copy of its articles  
8 of incorporation or charter and by-laws, together with the address of its  
9 principal officer;

10 Third Filed with the said Auditor a copy of its last annual, semi-annual  
11 or quarterly report of receipts and expenditures, assets and liabilities, which  
12 shall be sworn to by its proper officers and deposit with the said Auditor  
13 the sum of one hundred thousand dollars (\$100,000) for the protection of its  
14 members in the State of Illinois;

15 Fourth Filed with the said officer a certificate under seal of said asso-  
16 ciation, designating the name and address of an agent of such association  
17 residing within this State upon whom all process from any court in this  
18 State shall be served, and any process served on such agent shall be valid  
19 and binding on such association to the same extent as if served on an officer  
20 of said association;

21 Fifth Pay to said Auditor the sum of \$25.00 on filing the papers and  
22 documents heretofore enumerated.

§ 16. When any association complies with all the requirements of this  
2 act, the said Auditor shall issue to such association desiring to do business  
3 in this State outside the county in which its principal office is located and  
4 counties adjoining thereto a certificate stating that such association has  
5 complied with all the laws of this State, and is entitled to do business



therein pursuant to the laws thereof: *Provided, however, that said Auditor may at any time revoke such license if it shall by satisfactory evidence appear, either*

1. That any statement or report required or authorized by this act to be made as a condition of doing or continuing such business in this State is untrue; or

2. That such association is insolvent or the security of its members in this State by mismanagement or otherwise, is rendered unsafe or insecure, or

3. That such association has violated the laws of this State or failed to comply therewith. If such license shall be revoked as aforesaid, on notice thereof such association shall cease to do business in this State.

§ 17. No person shall solicit or receive or forward or procure subscriptions to, or shall sell or issue, or knowingly cause to be sold or issued within this State, any stock of any association which has not fully complied with the provisions of this act, or when said association has been notified to discontinue business in this State. For any violation of this section the offender shall be punished for each offense by a fine of not less than twenty five dollars, nor more than two hundred dollars, in the discretion of the court.

§ 18. No building and loan association of the character described in this act incorporated under the laws of this State shall use for the expense of conducting its business any portion of its receipts except admission fees and such amount as may be provided in its by-laws, not to exceed one per cent. per annum of the par value of its stock, together with the expense of making loans to be paid by the borrower.

§ 19. On or before the first day of March of each year every building and loan association of the character described in this act, doing business in this State shall file with the said Auditor a report of its affairs and op-

4 erations for the year ending on the thirty-first day of December immedi-  
 5 ately preceding. Such report shall be verified by the oath of the secretary  
 6 and bookkeeper of the said association or by the oaths of three directors of  
 7 said association and its bookkeeper, and shall contain the following in-  
 8 formation:

9 First- The date when the association was incorporated, and the par value  
 10 of each share of stock.

11 Second--The number of shares sold during the year.

12 Third- The number of shares cancelled and withdrawn during the year.

13 Fourth- The number of shares in force at the end of the year.

14 Fifth--A statement of receipts and disbursements during the year.

15 Sixth- A statement of assets and liabilities at the end of the year.

16 Such association shall pay to said Auditor five dollars on filing his re-  
 17 port.

§ 20. If any officer, director, agent or bookkeeper of any building and  
 2 loan association subject to the provisions of this act, shall willfully fail to  
 3 furnish the report required in section 19 of this act, such person or persons  
 4 shall be punished by a fine of not less than ten dollars and not more than  
 5 two hundred dollars, in the discretion of the court. If there be no such  
 6 officer, director, bookkeeper or agent subject to the provisions of this act,  
 7 then the said association shall be fined twenty-five dollars per day for every  
 8 day of such delay in filing the reports provided for in section 19 of this  
 9 act.

§ 21. It shall be the duty of the Auditor of Public Accounts of this State  
 2 on or before the thirty-first day of December, 1891, and once in each year  
 3 thereafter, to examine or cause to be examined fully and completely the  
 4 affairs of every building and loan association of the character  
 5 described in this act, doing business in this State, and to ascer-  
 6 tain whether such associations are complying with the laws in all

7 respects. Said Auditor shall have the right at any time to examine any  
 8 and all books, records, papers or documents of such associations, either in  
 9 person or by his duly appointed deputy. Any association, person or officer,  
 10 employe or agent of such association who shall obstruct or retard said  
 11 Auditor or his deputy in the performance of his said duties, or who shall  
 12 fail or refuse to exhibit the books, papers, documents and records of the  
 13 said association when demanded by him or his deputy, or who shall pur-  
 14 posely absent himself from his office or from the State while the said ex-  
 15 amination is in progress, or who shall by any means willfully hinder or de-  
 16 lay the examination aforesaid, or who shall refuse to give any information  
 17 in his possession when demanded by the said Auditor or his deputy, shall  
 18 be deemed guilty of a misdemeanor and shall be punished by a fine of not  
 19 less than ten dollars and not more than two hundred dollars, or by confine-  
 20 ment in the county jail for not less than thirty days nor more than one  
 21 year, or by both such fine and imprisonment, in the discretion of the court.  
 22 The fee for annual examination to be paid by such association in this State  
 23 shall be three dollars (\$3) per thousand shares in force at the time of exam-  
 24 ination. *Provided*, that no such fee shall be less than ten dollars. The fee  
 25 for examination to be paid by foreign associations shall be five dollars (\$5)  
 26 per thousand shares in force in time of the examination: *Provided*, that no  
 27 such fee shall be less than fifty dollars, and that in addition to such fee  
 28 the association shall pay all traveling expenses incurred by the said Auditor  
 29 or his deputy.

30 22. If it shall appear from any examination required in section 21 of  
 31 this act, that the said association is violating the laws of this State, or that  
 32 it is conducting business in an ~~un~~safe manner the said Auditor shall by an  
 33 order under his hand and seal of office, addressed to the association, point  
 34 out to it wherein it is violating the law and shall command conformity  
 35 thereto. If such association shall for thirty days thereafter fail or refuse

7 to comply with the law, or whenever it shall appear to said Auditor that it  
 8 is unsafe for said association to continue business, he shall communicate  
 9 the facts in writing to the Attorney General, who shall thereupon be  
 10 authorized to institute such proceeding against such association as may be  
 11 necessary in the premises. The conviction of any officer of any association  
 12 of a violation of law, shall vacate his said office without further proceed-  
 13 ings and the board of directors of such association shall forthwith fill the  
 14 same.

§ 23. No officer, agent or employe of any association subject to this act,  
 2 whose duties involve the handling of any funds or the signing or endorsing  
 3 of checks for such association, shall enter upon, or continue in his office or  
 4 employment, except he furnish such bonds for the faithful performance of  
 5 his duties as the board of directors of such association shall from time to  
 6 time require and approve.

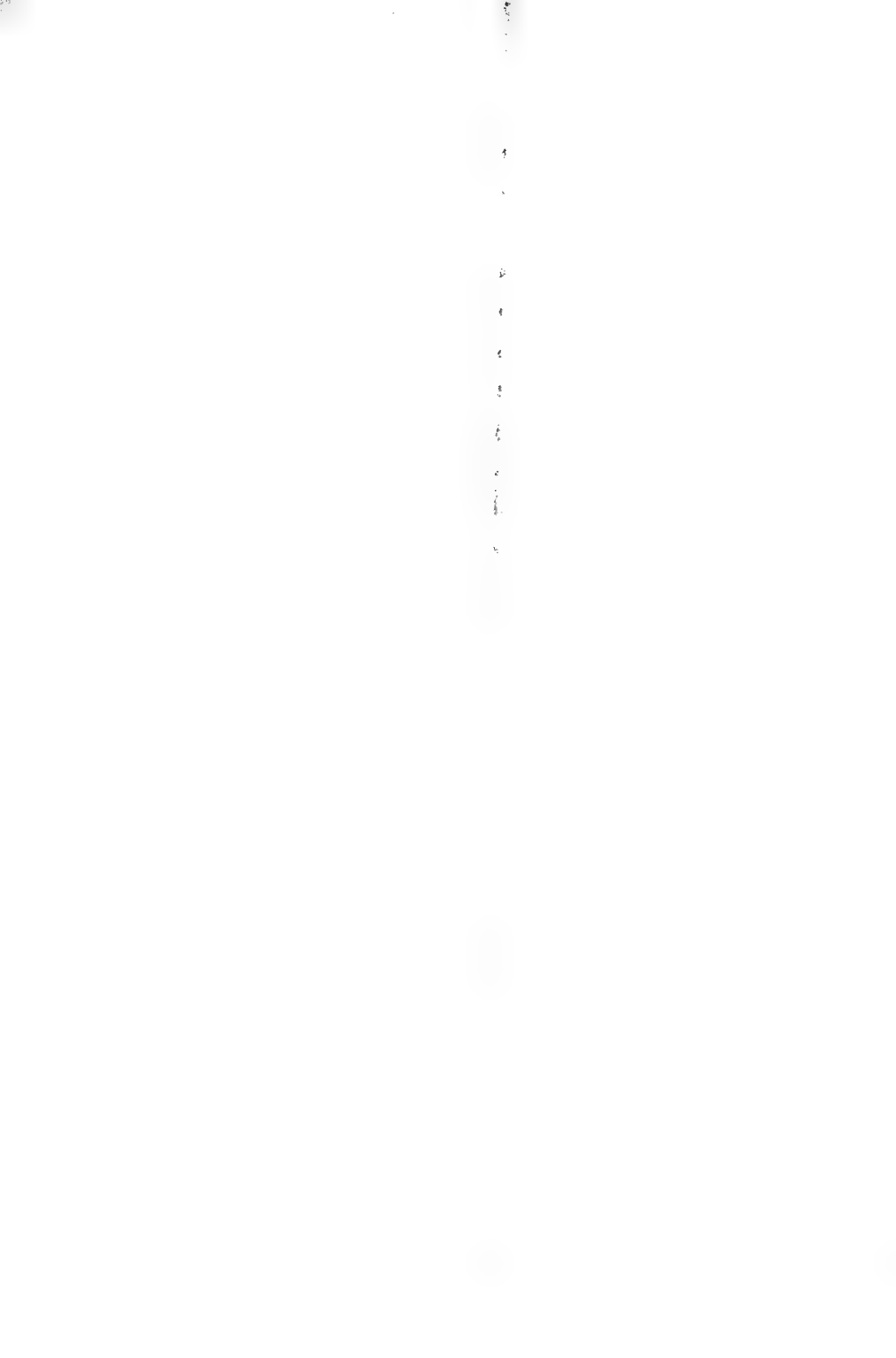
§ 24. When by the laws of any other State, territory or nation, any  
 2 taxes, fines, penalties, licenses, fees, deposits of money or securities or other  
 3 obligations, or prohibitions, inhibitions and restrictions are imposed on  
 4 building and loan associations of this State, doing business in such other  
 5 State, territory or nation, or upon their agents therein, so long as such  
 6 laws continue in force, the same obligations and prohibitions of whatever  
 7 kind shall be imposed upon all building and loan associations of such other  
 8 State, territory or nation doing business in this State and upon their  
 9 agents here.

§ 25. Thirty days prior to any annual or special meeting of the stock  
 2 holders or any such association, a notice stating the time and place of such  
 3 meeting shall be mailed to each member at his address, as the same ap-  
 4 pears upon the books of the association, and copies of all proposed amend-  
 5 ments to the charter or by-laws which have been approved by the board of  
 6 directors or signed by fifty stockholders shall be mailed by the secretary of

7 the association, with the notice herein provided for, and no other amend-  
8 ments shall be voted upon at such meeting. A majority of the stock rep-  
9 resented at such meeting shall constitute a quorum.

§ 26. The terms, "building, loan and homestead association," "associa-  
2 tions," or "building and loan association," when used in this act, shall be  
3 construed to mean: corporations, societies, organizations or associations  
4 doing a savings and loan or investment business on the building society  
5 plan, viz.: loaning its funds to its members only.

§ 27. This act shall only apply to what are known as National Building  
2 and Loan Associations; that is, such associations as do business in counties  
3 other than those in which they are organized, and in counties adjacent  
4 thereto; and this act shall not be construed as affecting in any wise asso-  
5 ciations known as local building, loan and homestead associations.



1. Introduced by Mr. Rickert, April 30, 1891, and ordered to first reading.
2. First reading April 30, 1891, and referred to Committee on Appropriations.
3. Reported back with amendments May 21, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act making an appropriation for the ordinary expenses of the Southern  
Illinois Penitentiary.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the following amounts, or so much thereof as  
3 may be necessary, be and the same are hereby appropriated to the Southern  
4 Illinois Penitentiary for the purposes hereinafter named, and no other:

5 For ordinary expenses for the two years ending June 30, 1893, and to  
6 enable the commissioners to keep employed the prisoners who now are, or  
7 may hereafter be, left without employment by the expiration or forfeiture  
8 of any contracts heretofore, or now, in force, and the commissioners are  
9 hereby authorized to expend so much of the amount hereby appropriated as  
10 may be necessary for tools, machinery fixtures and materials sufficient to  
11 keep employed all prisoners who are now, or may hereafter become idle, as  
12 herein stated, and to provide for the sale of goods therein manufactured;  
13 and said commissioners shall employ such prisoners at such occupation or  
14 occupations as are best adapted to secure their health, discipline and reform.

- 15 ation, one hundred thousand dollars (\$100,000) per annum.
- 16 For contingent expenses, ten thousand dollars (\$10,000).
- 17 For repairs and re-furnishing, six thousand dollars (\$6,000).
- 18 For books for library, one thousand dollars (\$1,000).
- 19 For building a cow barn, five hundred dollars (\$500).
- 20 For fencing for the farm, one thousand dollars (\$1,000).
- 21 For lumber to repair stockade, six hundred dollars (\$600).
- 22 For chemical and microscopical appliances for physicians department,
- 23 one thousand two hundred dollars (\$1,200).
- 24 For stone shed, 70x40 feet in dimension, four thousand five hundred dol-
- 25 lars (\$4,500).
- 26 For the erection of a pump house, five hundred dollars (\$500).
- 27 For reservoir 40x60 feet in dimension and 30 feet deep, four thousand five
- 28 hundred dollars (\$4,500).
- 29 For boiler house, one thousand six hundred dollars (\$1,600).
- 30 For electric light plant, ten thousand dollars (\$10,000).
- 31 For the erection of a slaughter house, five hundred dollars (\$500).
- 32 For two turning lathes for machinery department, one thousand two hun-
- 33 dred dollars (\$1,200).
- 34 For one sharper for machinery department, four hundred and fifty dol-
- 35 lars (\$450).
- 36 For water heater, seven hundred and fifty dollars (\$750).
- 37 For pump for reservoirs, fifteen hundred dollars (\$1,500).

§ 2. The moneys herein appropriated shall be due and payable to the  
 2 Commissioners of the Southern Illinois Penitentiary, or their order, only on  
 3 the terms now provided by law.



AMENDMENTS TO SENATE BILL No. 370, PROPOSED BY THE COMMITTEE ON APPROPRIATIONS.

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1. Amend section 1 by striking out of line 5 the words "one hundred" and insert "ninety-five."
2. Strike out of line 5, section 1, the figures "\$100,000" and insert "\$95,000"
3. Strike out all of line 19.
4. Strike out of line 20 the words and figures "one thousand" and insert "five hundred."
3. Strike out lines 22 and 23.
4. Strike out line 31



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**AMENDMENTS TO SENATE BILL No. 370- IN HOUSE.**

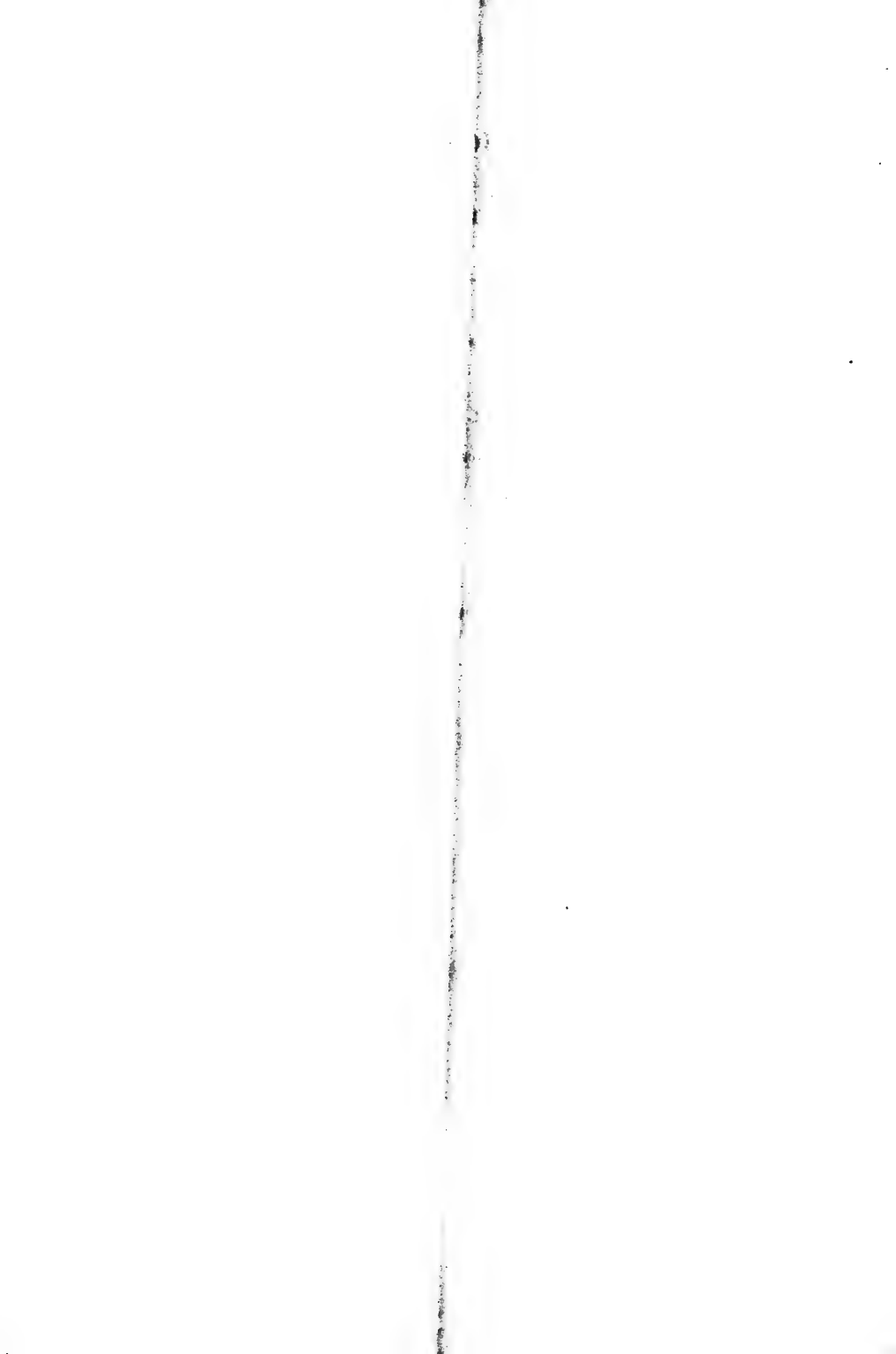
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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891

1. Amend section 1 in line 16 of the printed bill by striking out the words and figures "ten thousand dollars (\$10,000)," and inserting therefor "eight thousand dollars (\$8000)."

2. Amend section 1 in line 24 of the printed bill by striking out "70x40" and inserting therefor "175x75."

3. Amend section 1 by striking out all of line 30 of the printed bill.



1. Introduced by Mr. Berry, April 30, 1891, and ordered to first reading.
2. First reading April 30, 1891, and referred to Committee on Judiciary.
3. Reported back May 8, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section two hundred and fifty three (253) of an act entitled  
"An act for the assessment of property and levy and collection of taxes,"  
approved March 30, 1872, in force July 1, 1872, as amended by an act ap-  
proved May 30, 1881, in force July 1, 1881.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That the taxes upon real property, together with  
3 all penalties, interests and costs that may accrue thereon, shall be a prior  
4 and first lien on such real property, superior to all other liens and incum-  
5 brances, from and including the first day of May in the year in which the  
6 taxes are levied, until the same are paid, which lien may be foreclosed in  
7 equity in any court of competent jurisdiction in the name of the People of  
8 the State of Illinois, whenever the taxes for two or more years, upon the  
9 same description of property, shall have been forfeited to the State, and  
10 may be sold under the order of the court by the person having authority  
11 to receive State and county taxes, with the same notice to interested par-  
12 ties and right of redemption from said sale as is now provided by law, and  
13 in conformity with sections four (4) and five (5) of article IX of the con-  
14 stitution of this State. In proceedings to foreclose the tax lien on real  
15 property, the amount due on the collector's books against the said property  
16 shall be prima facie evidence of the amount of taxes against the said real

17 property. When any taxes are collected in any such foreclosure proceed-  
18 ings they shall be paid to the county collector, to be distributed by him to  
19 the respective authorities entitled thereto: *Provided*, that whenever any suit  
20 for foreclosure shall be commenced under this act for the sale of land for  
21 the non-payment of taxes and a sale is made under a decree of said court,  
22 the case shall remain on the docket of said court until the time of redemp-  
23 tion shall expire, and in case redemption shall not be made the court shall  
24 then take proof in relation to the notices required by this act, and if upon  
25 the hearing of said cause the court finds that all of the requirements of  
26 this act have been complied with, and that the purchaser at such sale is  
27 entitled by law to a deed, the court shall then order a deed made to the  
28 purchaser or purchasers of said real estate by the master in chancery or  
29 special commission of said court, and when a copy of said deed and order  
30 approving the same be served upon the person or persons in possession, and  
31 he or they shall refuse to surrender possession to the purchaser or person  
32 entitled thereto, the said court shall award a writ of possession directed to  
33 the sheriff of the proper county to execute, to put the person entitled  
34 thereto in possession: *Provided*, nothing herein contained shall be retrospec-  
35 tive in its operation and shall only be construed as affecting cases in which  
36 the tax or taxes are assessed and levied after the passage of this act.

1. Introduced by Mr. Bacon, April 30, 1891, and ordered to first reading.
  2. First reading April 30, 1891, and ordered to second reading without reference.
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## A BILL

For an act to amend sections three (3), six (6), seven (7), eight (8), nine (9), twelve (12), thirteen (13), sixteen (16), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), and twenty-five (25), of article three (3) of an act entitled "An act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That sections three (3), six (6), seven (7), eight (8), nine (9), twelve (12), thirteen (13), sixteen (16), eighteen (18), nineteen (19), twenty (20), twenty-one (21), twenty-two (22), and twenty-five (25), of article three of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, be and the same are hereby amended to read as follows:

Section 3. Such Board of Registry and the election clerks shall meet in the precinct on Tuesday, *three weeks* preceding the first general city, village or town election, or the first general State or County election which may occur after the first appointment of such Board of Election Commissioners, at the place designated by such Board of Commissioners, and they shall

6 then proceed to make a general registration of all voters in such precinct.  
7 A new general registration shall be made by the Board of Registry in  
8 every year in which a congressional election occurs and just prior thereto.  
9 the first day of such registration being on Tuesday, *three weeks* before such  
10 election, and the second day of registration being on Tuesday, *two weeks*  
11 before such election. Three registry books shall be furnished to such Board  
12 of Registry by the Board of Election Commissioners for the purpose of such  
13 registration, and such books of registry shall be prepared substantially in  
14 the following form:



REGISTER OF VOTERS.....PRECINCT.....WARD.

Residence.	Address.	Nativey.	Term of Resi- dence.			Naturalized.	Date of Naturaliza- tion Papers	Court.	By act of Congress	Qualified voter.	Date of Ap- plication for Naturalizy	Why disquali- fied.	Recorded by Commis- sioner	By court. Vote challenged.	Remarks.
			Preinct.	County.	State.										
240 Ohio St.	Ames, William J.	Massachusetts.	6 mos 2 yrs.	10 yrs	Yes.	Yes.				Yes.	Oct. 5, 1905				
225 Ontario St.	Allen, John.	England.	3 mos 3 yrs.	5 yrs		Yes.	May 27, 1871.	Superior, N. Y.		Yes.	Oct. 5, 1905				
180 Dearborn Ave.	Austin, George.	Georgia.	3 yrs 5 yrs.	8 yrs	Yes.					No.	Oct. 12, 1905				
221 Clark St.	Anschuler, Christian.	Germany.	2 yrs. 6 yrs.	6 yrs		Yes.	July 1, 1905.	Not known. Baltimore.		Yes.	Oct. 12, 1905.				

15 One of said books shall be denominated "Public Register" on the outside,  
16 or on the first page.

17 Said Board of Registry shall then proceed as follows:

18 I. They shall open the registry at eight o'clock a. m., and continue in  
19 session until nine o'clock p. m. on the first day. One of the judges shall  
20 administer, to all persons who shall personally apply to register, the fol-  
21 lowing oath or affirmation:

22 "You do solemnly swear (or affirm) that you will fully and truly answer  
23 all such questions as shall be put to you touching your place of residence,  
24 name, place of birth, your qualifications as an elector, and your right, as  
25 such, to register and vote under the laws of this State."

26 II. Each of said clerks of election, and one of said judges of election,  
27 shall have charge of the registry books, and shall make the entries therein  
28 required by this act, and one of the judges shall ask the questions as to  
29 qualification, and after he is through either of the judges may ask ques-  
30 tions. One of the judges of election may, when necessary, relieve one of the clerks  
31 from time to time, as necessity may seem to demand, in making entries in  
32 said book.

33 III. The name of every applicant shall be entered in such registry books,  
34 and all the facts shall be therein stated, as hereinafter provided, whether  
35 he be entitled to vote or not. If it shall be determined by the board that  
36 he is not a qualified voter in such precinct, then an entry shall be made in  
37 the appropriate column, "No," and if qualified, an entry shall be made in  
38 the same column, "Yes."

39 IV. Only such male persons of the age of twenty-one years, residing in such  
40 precinct, as apply personally for registration, shall be entered in such regis-  
41 ters; but every applicant who would be twenty-one years of age on the day  
42 of the next election, if otherwise qualified, shall be entered of such registers.  
43 Every applicant who has commenced to reside in such precinct at least

44 thirty days before such election shall be entered in such registry, and shall  
 45 be marked "qualified," or "disqualified," as the case may be; but unless, on  
 46 the day of election, he shall have resided for thirty full days in such elec-  
 47 tion precinct, he cannot vote therein, although otherwise qualified.

48 V. The headings to the registry book shall be so prepared that the regis-  
 49 try shall be made alphabetically, according to the surname of each person  
 50 applying, but it shall be arranged so that the residence of such persons  
 51 shall appear in the first column. The register shall be ruled, and one name  
 52 shall be written on each line, but no name shall be written between the  
 53 lines. The entries shall be as follows:

54 1. Under the column "Residence," the name and number of the street,  
 55 avenue, or other location of the dwelling, if there be a definite number,  
 56 and if there shall not be a number, such clear and definite description of  
 57 the place of such dwelling as shall enable it to be readily ascertained. If  
 58 there shall be more than one house at the number given by the applicant  
 59 as his place of residence state in which house he resides. And if there be  
 60 more than one family residing in said house, either the floor on which he  
 61 resides, or the number, or the location of the room or rooms occupied by  
 62 him, whether front or rear; every floor below the level of the street or  
 63 ground being designated as the basement; the first floor above such level  
 64 being designated as the first floor, and each floor above that as the second  
 65 or such other floor as it may be.

66 2. Under the column "Address," the name of the applicant, writing the  
 67 surname first, and given or christian name after.

68 3. Under the column "Nativity," the State, county, kingdom, empire, or  
 69 dominion, as the facts stated by applicant shall be.

70 4. Under the subdivisions of the general column "Term of Residence," the  
 71 periods by days, months, or years stated by the applicant.

72 5. Under the column "Naturalized," the word "Yes." Under the column

73 "Native," the word "Yes," according to the fact stated.

74 6. Under the column "Date of Papers," the date of naturalization, if nat-  
75 uralized, or about the date.

76 7. Under the column "Court," the designation of the court in which, if  
77 naturalized, such naturalization was had; and, if the name of the court can-  
78 not be had with certainty, then the name of the place in which such court  
79 was located.

80 8. Under column "By Act of Congress," the word "Yes," in case such  
81 person, though foreign born, has been made a citizen by act of Congress  
82 without taking out his naturalization papers.

83 9. Under the column "Qualified voter," the word "Yes," or "No," as the  
84 fact shall appear or be determined by a majority of the board of registry,  
85 it being, however, required of them to designate as a qualified voter, any  
86 male person who, if otherwise qualified, shall not, at the time of making  
87 application, be of age, provided the time when such applicant shall be of  
88 the age of twenty-one shall be subsequent to the date of his application,  
89 and not later than the day of election immediately following such time of  
90 applying.

91 10. Under the column "Date of Application," the month, day and year  
92 when the applicant presented himself and was adjudged a qualified voter  
93 in election precinct.

Section 6. On Tuesday, two weeks preceding said city, village, town,  
2 State or county election, said board of registry shall again meet at the  
3 place designated, and said clerks of election shall meet with them, and  
4 they shall remain in session from 8 o'clock a. m. until 9 o'clock p. m., for the  
5 purpose of registering all qualified voters not before registered and who  
6 shall apply in person to be registered. The same form shall be observed as  
7 to applications made on the second day as are required on the first day of  
8 registry.

9 If at the end of such day's registration, the said registers shall be exam-  
10 ined, compared and made to agree, and they shall then be signed by the  
11 judges in the same way as at the end of the first day's registry, and simi-  
12 lar certificates shall be attached thereto.

13 The board of election commissioners shall furnish to the board of registry  
14 in each precinct a blank book, which shall be named "Verification Lists,"  
15 each page of which shall be ruled into three columns, and those on the  
16 left-hand side shall be marked thus:

### REGISTERED NAMES.

[illegible]

17 And the pages on the right-hand side shall be marked thus:

**NAMES NOT REGISTERED.**

[illegible]

Such book shall contain pages sufficient to allow six pages for each street, avenue, alley and court in the precinct. During the progress of the registration, or immediately thereafter the clerks of said board shall transfer all the names upon the register to the left-hand page of such "verification lists," arranging them according to the streets, avenues, alleys or courts, beginning with the lowest residence number, and placing them numerically, as

24 near as possible, from the lowest up to the highest number. They shall  
25 first write the name of such street, avenue, alley or court at the top of the  
26 second column, and then proceed to transfer the names to the left-hand  
27 page of such "verification lists," according to the street numbers as above  
28 indicated.

29 On the opposite, or right-hand page, the name of the same street, avenue,  
30 alley or court shall be written in the second column. If, during either day  
31 of registration, any registered voter of the ward, village or incorporated  
32 town shall come before the Board of Registry and make oath that he be-  
33 lieves that any particular person upon said registry is not a qualified voter,  
34 such fact shall be noted; and after the completion of such "verification  
35 lists," such board or one of said judges shall make a cross or check-mark in  
36 ink opposite such name. If said judges shall, however, know that any per-  
37 son so complained of is a qualified voter, and shall believe that such com-  
38 plaint was only made to vex and harass such qualified voter, then such  
39 name shall not be put upon such list, but shall go upon such list in case  
40 any one of the judges desire. Said judges shall, before noon of the next  
41 day, hang up such public register at the place of registration, and within  
42 the same period of time return the other two registers to the office of said  
43 election commissioners.

Section 7. The clerks of election are hereby constituted canvassers of the  
2 precinct for which they are appointed, and upon the Wednesday and  
3 Thursday following the second day of registration, if so much time shall  
4 be required, said two clerks shall go together and canvass such precinct,  
5 calling at each dwelling place or each house where any one may reside in  
6 such precinct and each dwelling place as indicated upon said "verification  
7 lists," and ascertain the name of every male inhabitant over 21 years of age  
8 residing in such precinct, and if they shall find that any person upon their  
9 "verification lists", on the left-hand page thereof, does not reside at the

10 place designated thereby, they shall make a check-mark or cross opposite  
11 such name.

12 Said canvassers shall also write down in their "verification lists," on the  
13 right-hand page thereof so designated, "names not registered," according to  
14 the street and street numbers, all the names of all persons so ascertained  
15 by them who reside in such precinct whose names are not already upon  
16 their "verification lists." No name shall be written down on said right-  
17 hand page which already appears on said left-hand page of such "verifica-  
18 tion lists." Whenever deemed necessary by said canvassers, or either of  
19 them, he or they may demand of the superintendent, captain, lieutenant or  
20 other person having command of the police in such portion of the city, vil-  
21 lage or town, to furnish a policeman to accompany them and protect them  
22 in their duties when necessary; and it shall be the duty of such superin-  
23 tendent, captain, lieutenant or other person having authority over such  
24 police in such locality to furnish a policeman for such purpose, and in de-  
25 fault thereof such superintendent, captain, lieutenant or other person shall  
26 be deemed guilty of a misdemeanor under this act, and shall be liable to  
27 penalty not exceeding \$100 nor less than \$25. If, in making such canvass,  
28 any person shall refuse to answer questions and give the information asked  
29 for, and known to him or her, such person shall be deemed guilty of a mis-  
30 demeanor under this act, and shall be liable to a penalty not to exceed \$50.  
31 In making such canvass said canvassers shall make special inquiry at the  
32 residences as designated in the registry and "verification lists" as to all the  
33 persons so registered as qualified voters.

Section 8. Immediately upon the completion of such canvass, said can-  
2 vassers, or one of them, shall sign a notice and send the same through the  
3 United States mail, duly stamped, to the address given upon the registry  
4 and "verification lists," of all persons named therein against whose names  
5 they have made a cross or check mark, indicating that they did not reside  
6 in such place as before stated, and also to the address of all persons against

7 whose names said Registry Board or Judge of election has placed a check  
8 mark or cross in such "verification lists," which notice shall require such  
9 person to appear before the Board of Registry upon the Saturday follow-  
10 ing, giving the time of such session, and to show cause why his name  
11 should not be erased from such registry. Proper blanks and postage stamps  
12 shall be furnished for the purpose to said canvassers by the Board of Com-  
13 missioners. A similar notice shall be also served by one of said canvassers,  
14 either at the time such canvass is being made or before the following Sat-  
15 urday, by leaving the same with the party, if found, or, if he is not found  
16 at the place designated in such registry and "verification lists," by leaving  
17 the same at such address if there be such a place. Such notice, to be sent  
18 through the mail, must be mailed not later than 10 o'clock Friday morning  
19 of the week of such canvass. If sufficient postage stamps are not delivered  
20 to such canvassers by said board for the purpose aforesaid, then any one  
21 may furnish such postage stamps to such canvassers for that purpose, or  
22 such canvassers may procure the same at their own expense and afterward  
23 render an account therefor to said commissioners, duly sworn to, and it  
24 shall be the duty of the said commissioners to audit such account and  
25 cause the same to be paid. It shall be the duty of such commissioners,  
26 upon application, to deliver to such canvassers postage stamps sufficient for  
27 the purpose aforesaid, when not delivered before, and it shall be the duty  
28 of such canvassers, or one of them, to apply to said commissioners for such  
29 postage stamps, if sufficient number have not been delivered to them for the  
30 purpose aforesaid, and any wilful neglect of said canvassers to make appli-  
31 cation for sufficient postage stamps as aforesaid, and any wilful neglect of  
32 such canvassers to mail the notice aforesaid to all of the parties checked  
33 and designated as aforesaid, and the wilful neglect of such canvassers to  
34 leave the notice aforesaid at the place designated for such person so desig-  
35 nated, and any wilful neglect to check the name of any person on said  
36 "verification lists" transferred from the registry as aforesaid and not found



at the place designated, and any wilful neglect to transfer all the names from the registry as aforesaid to such "verification lists" in the manner aforesaid, shall be deemed a misdemeanor, and such canvasser or canvassers shall be punished, upon conviction thereof, by imprisonment in the county jail for not less than one month nor more than one year, and such canvassers shall be liable to be punished by the county court of the proper county as for contempt and be fined not less than \$50, or imprisoned in the county jail by such court for a period not exceeding 100 days, or both, in the discretion of the court. And it shall be the duty of said Board of Election Commissioners, when complaint is made to them, to investigate the action of such clerks or canvassers, and to cause them to be brought before such county court and to prosecute them as for contempt, and also, at their discretion, to cause them to be prosecuted criminally for such wilful neglect of duty.

Section 9. On the Saturday following the Tuesday two weeks preceding such general county, city, village, town or State election, said Board of Registry shall again meet at the place designated, and the said clerks of election shall meet with them, and they shall remain in session from 6 o'clock p. m. to 10 o'clock p. m. for the sole purpose of revising their registry, and no new names shall be added. Said canvassers, or one of them, shall make out a list of the names of parties checked and designated as aforesaid and to whom such notice has been sent, given or left with the address, and make and attach his or their affidavit or affidavits thereto, stating that notice duly stamped was mailed to each of said parties at the places designated on such list, on or prior to 10 o'clock p. m. of the previous Friday, and that notice was also personally left at the said address of each of said parties named in said list so attached, if there be any such address. Blank affidavits shall be furnished by said commissioners for the purpose aforesaid; but if none are furnished such canvassers shall cause the same to be drawn, and they shall swear to such affidavit before one of

17 the judges of such precinct. If either of said canvassers shall wilfully neg-  
 18 lect and fail to make such affidavit with the list aforesaid attached, he shall  
 19 be punished in the same manner as last above provided, and if such affi-  
 20 davit shall be wilfully false the maker thereof shall also be punished in  
 21 the manner last aforesaid, and shall also be liable for perjury.

22 If any person to whom such notice has been sent shall appear before the  
 23 Board of Registry during that session he shall make oath and sign an affi-  
 24 davit, in substance, as follows:

25 "I do solemnly swear that I am a citizen of the United States, and that  
 26 I have resided in the ..... precinct of the ..... ward in the city  
 27 of ....., and the county of ..... and the State of Illinois,  
 28 since the ..... day of ..... and that I have never been con-  
 29 victed of any crime (or if convicted, state the time and when pardoned by  
 30 the Governor of any State)."

31 This affidavit shall be signed and sworn to before one of such Board of  
 32 Registry, and it shall be preserved and filed in the office of said election  
 33 commissioners. Thereupon said Board of Registry shall further examine  
 34 him, and shall also swear such canvassers, and hear them upon the ques-  
 35 tion, and they shall also have the power to send one or both of said can-  
 36 vassers to make further examination, and inquire at the place claimed by  
 37 such person to be his residence, and again examine such canvassers touch-  
 38 ing the same; and if, after such further examination and hearing, the ma-  
 39 jority of said board are of the opinion that such person is not a qualified  
 40 voter in such precinct, they shall mark the word "Yes" under the column  
 41 of the registry marked "erase," and shall also draw a line in ink under his  
 42 name, which memorandum, in case of any registration, shall indicate that  
 43 the name of such person is erased from the register, and such person shall  
 44 not be entitled to vote unless his name be restored as hereinafter provided.  
 45 During the last hour of said session, if any person so notified to appear at  
 46 such session has not yet appeared and shown cause why his name should

47 not be erased from such register, the same shall be erased in the manner  
 48 aforesaid. Persons whose names have been so erased may make application  
 49 in writing to said Board of Election Commissioners within two days there-  
 50 after to be restored to such register as in the cases before provided for.  
 51 Either of said clerks shall have the power and right of both in the matter  
 52 pertaining to such canvass, except that both are required to go together  
 53 and make such canvass; but in case either refuses to go or neglects to  
 54 go and make such canvass as aforesaid, then the other may make such can-  
 55 vass alone. But a clerk who wilfully neglects to perform his duty in mak-  
 56 ing such canvass shall be deemed guilty of a misdemeanor, and on convic-  
 57 tion shall be imprisoned in the county jail not exceeding sixty days nor  
 58 less than thirty days, and shall also be deemed guilty of a contempt of  
 59 court, and be punished accordingly as an officer of said county court. In  
 60 case of temporary disability on the part of either canvasser or clerk, the  
 61 judge who belongs to the same party may appoint a temporary clerk or  
 62 canvasser, who shall belong to the same party, and administer to him the  
 63 usual oath of office, and he shall perform all the duties of the office until  
 64 the disability of the regular clerk or canvasser is removed.

65 The "verification lists" aforesaid, after the final revision, shall be at once  
 66 returned by the Board of Registry to the Board of Election Commissioners,  
 67 and within thirty days after such election such Board of Election Commis-  
 68 sioners shall turn over said "verification lists" to the clerk of the county  
 69 board, to be used by such county board in the preparation of jury lists; and  
 70 it shall be made the duty of such county board to carefully keep such lists  
 71 arranged in order; and from the legal voters of such lists of "names not  
 72 registered" such county board shall first prepare such jury lists, and after-  
 73 ward from the legal voters of such lists of "registered names."

Section 12. A docket of all applications to said commissioners, whether  
 2 such applications shall be made for the purpose of being registered, or for  
 3 the purpose of erasing a name on the register, shall be made out in the  
 4 order of the wards and precincts. The commissioners shall sit to hear such

5 applications on the Tuesday and Wednesday immediately preceding such  
 6 election. They shall take up the wards or precincts in their numerical  
 7 order. The decision of each application shall be announced at once after  
 8 hearing, and a minute made thereof; and when an application to be regis-  
 9 tered or to be restored to such register shall be allowed, the said board  
 10 shall cause the same to be made upon the two registers of said precinct so  
 11 in its possession. And where an application to erase a name shall be al-  
 12 lowed, said board shall cause the same to be erased forthwith.

Section 13. The county court of the county in which such city, village or in-  
 2 corporated town shall be located shall, on Friday and Saturday of the week  
 3 prior to the week in which such election is to be held, specially sit to hear  
 4 such applications as shall be made to it to be placed upon the register in  
 5 any particular precinct. Such application shall be sworn to, and shall state  
 6 that the party making the same has applied to the Board of Registry of  
 7 the precinct and to the Board of Election Commissioners, and that one or  
 8 both boards refused to place him upon such registry, or has stricken his  
 9 name from such registry, as the case may be. Application shall be made  
 10 on or before the opening of the court on the Friday last aforesaid, and the  
 11 court shall cause a docket of such applications to be made out, arranged by  
 12 wards and precincts, and the same shall be heard summarily, and evidence  
 13 may be introduced for and against such applications. Each case shall be  
 14 decided at once on hearing, and the clerk of the court shall make a minute  
 15 of the disposition of each application; a copy of such minute shall at once  
 16 be given to said commissioners, who shall forthwith cause such names to be  
 17 placed upon the appropriate register, and indicate that it was entered by  
 18 order of court. After the entry of the applications so allowed by said court,  
 19 no further change shall be permitted, and the appropriate stamp prepared  
 20 shall be fixed to the end of each page of names in each precinct registered  
 21 by said Board of Commissioners. Said books of registry so prepared shall,  
 22 on the day prior to the election, be delivered to the judges of election, one

only, however, to be delivered to the judge or judges representing the same political party. No person admitted to the registry by order of such court or such board shall be protected by such order in case he should be indicted for false registration or false voting.

Section 16. Every general registration shall be made in the same manner and in conformity with directions heretofore given. At every general registration every person desiring registration must appear in person and make application, under oath, as in the case of the first registration herein provided. The same form and blanks and methods of proceedings shall be had before and by the Board of Registry, and by the canvassers, and by and before the judges of election and election clerks, and by the Board of Election Commissioners and county court, in every subsequent general registration as is directed herein for the first registration and election following the same.

Section 18. Blank books named "verification lists" shall be furnished to the Board of Registry in all intermediate registrations the same as in case of original or general registrations as provided for in section six, article three hereof and the clerks of election shall transfer to said "verification lists" all of the names already upon the registry at the commencement of such intermediate registration, and all new names added thereto on such day of intermediate registration, in the same manner and form as provided in section six; and the duties of the judges and the clerks in regard to such "verification lists" shall be the same as provided in said section last mentioned.

Section 19. At the end of such session such registers shall be made to agree and where there is any difference the majority of said board shall decide the same, and then each of said judges shall sign each page of each register made, below the last name on each page, so that no name can be added thereto without discovery, and the usual certificate shall be added. Two of such registers shall be returned to said Board of Election Commissioners

7 by noon next day, and the one called the "public register" shall be hung up  
8 in the place of registration.

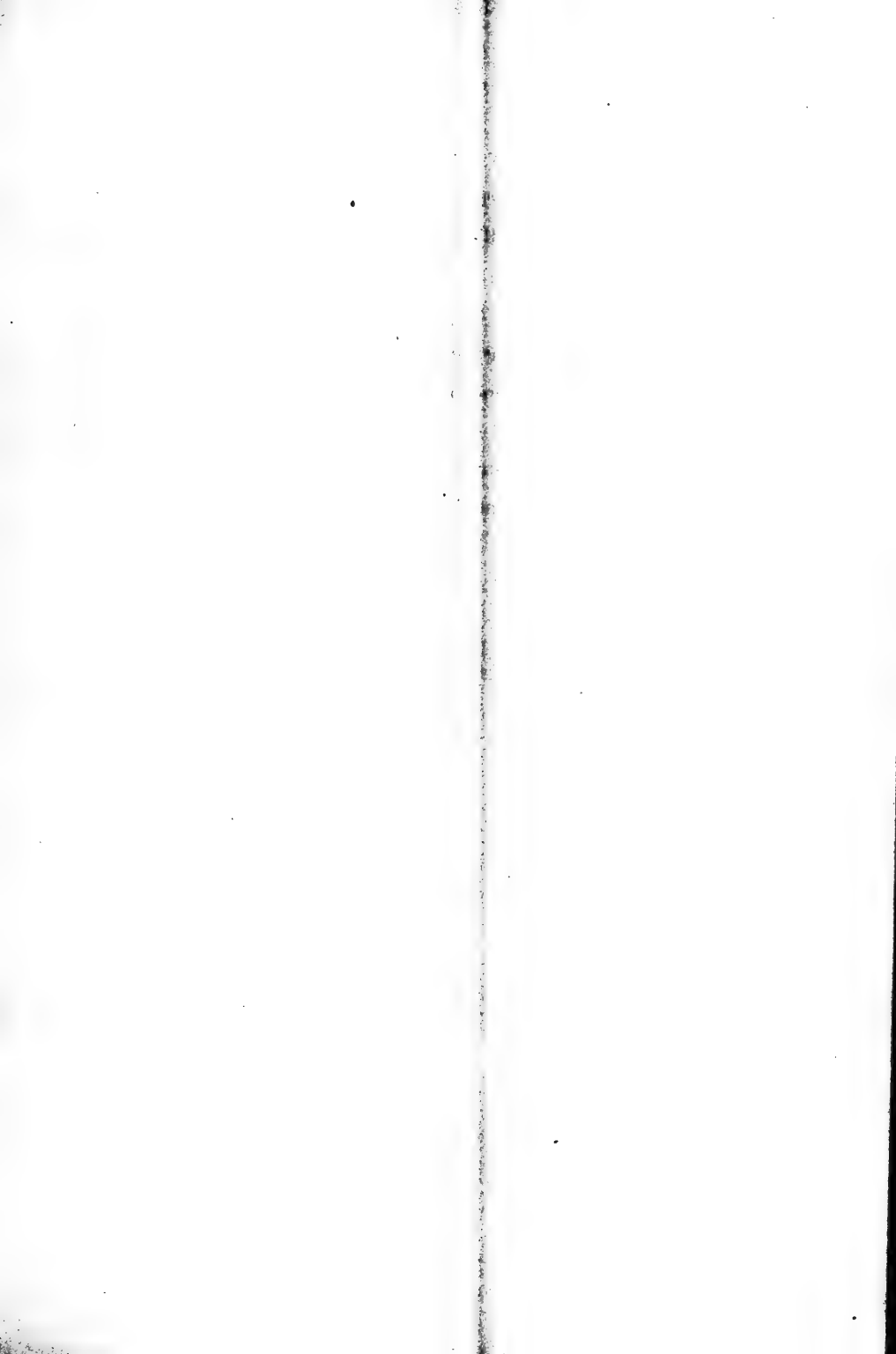
Section 20. The clerks of election of such intermediate registration are hereby  
2 constituted canvassers of the precincts in which they are appointed, and the  
3 same duties are imposed upon them and upon all other persons with refer-  
4 ence to such canvass as are required of such canvassers under section seven,  
5 article three hereof.

Section 21. In the matter of such intermediate registration notices shall  
2 be given as required by section eight, article three hereof, and every pro-  
3 vision of said section eight, and every duty, penalty and punishment therein  
4 provided shall be applicable and in full force as to such intermediate regis-  
5 tration. Said Board of Registry is specially charged to look after such can-  
6 vassers and see to it that the law is observed in all its parts by such can-  
7 vassers, and any willful neglect shall render such judges liable to the same  
8 extent and for like penalties and punishments as are such canvassers here-  
9 under. The Board of Election Commissioners shall give special directions  
10 to such canvassers in writing or print in regard to their duties as such,  
11 and the penalties to be incurred by them for the neglect thereof and also  
12 to the registry board of their duties in making such revision in order and to  
13 the end that no name shall be left upon such register of any person not  
14 entitled to vote in such precinct.

Section 22. On Saturday following the Tuesday of said intermediate reg-  
2 istration such Board of Registry shall meet again at the place designated,  
3 and said clerks of election shall meet with them, and they shall remain in  
4 session from six o'clock p. m. to ten o'clock p. m. for the purpose of revis-  
5 ing such registry, and thereupon such proceedings shall be had and taken  
6 by said canvassers and said Board of Registry as are provided for in section 9,  
7 article three hereof, and all the duties to be performed and all the penal-  
8 ties and punishments therein provided shall be applicable and in force as  
9 if here again repeated with reference to such intermediate registration and

10 canvass and revision. No new names shall be added at such meeting. Said  
11 "verification lists" shall be disposed of as provided in said section nine.

Section 25. Said Board of Election Commissioners shall hear applications  
2 for the erasure of names upon the registry and for the registration of per-  
3 sons thereon in the same way and form and at the same time or times as is  
4 provided with reference to such original or new registration, and the same  
5 methods are to be adopted, and in all particulars the proceedings shall be  
6 the same before the Board of Election Commissioners and before the county  
7 judge with reference to reinstatement and erasures as is provided for with  
8 reference to such original or new registration.





1. Introduced by Mr. Mahoney, April 30, 1891.
  2. First reading April 30, 1891, and ordered to a second reading without reference.
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## A BILL

For an act to amend section seventeen of article three of an act entitled "An act regulating the holding of elections and determining the result thereof in cities, villages, and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section seventeen of article three of an act  
3 entitled "An act regulating the holding of elections and declaring the re-  
4 sult thereof in cities, villages and incorporated towns in this State," ap-  
5 proved June 19, 1885, in force July 1, 1885, be amended so as to read as  
6 follows:

Section 17. At every election held in each city, village, or incorporated  
2 town between the general registration above referred to (except in the case  
3 of a special election in and for such city, village, or town, or in some part  
4 of such city, village, or town, and except at any judicial election held be-  
5 tween such general registrations, at which election no other officers than  
6 judicial officers are to be voted for) the last general registration shall be  
7 used, but the same shall be revised by the Board of Registry of each pre-  
8 cinct where such election is to be held, and for that purpose the Board of  
9 Registry shall meet on Tuesday, *two weeks* preceding each election, and shall  
10 hold a session from 8 o'clock a. m. to 9 o'clock p. m. on that day, and

11 names may be added on the registers in the same way upon sworn applica-  
12 tion as in the case of a general registration, and all the other forms and  
13 requirements are to be observed.

14 If a voter remove from one place to another in the same precinct, such  
15 party must appear before such Board of Registry when in session and make  
16 oath as to such removal, and the registers shall be corrected accordingly;  
17 and if not corrected, such person cannot vote unless he shall make oath be-  
18 fore one of the judges of such precinct that he is the identical person  
19 whose name appears upon the register (though it be erased) as having been  
20 registered at some other place in such precinct (naming the place), and un-  
21 less such statement shall be verified by two householders, residing in such  
22 precinct, that he is the identical person so registered at such other place in  
23 the precinct, whereupon such judges of election, if they believe him to be  
24 the same person registered at such other place, shall receive his vote.

25 The fact that a voter is registered in one precinct from which he has re-  
26 moved shall not prevent him from being registered in another precinct into  
27 which he has removed: *Provided*, he is otherwise entitled to be registered  
28 therein: *And provided, further*, that it shall be the duty of the Board of  
29 Election Commissioners to remove his name from the registry book of the  
30 former precinct immediately on the registers being returned into their  
31 office; and it is made the duty of the judges of election to question every voter  
32 offering himself to be registered as to whether he was or is registered in  
33 any other precinct and to make a note of the fact of such registration and  
34 the precinct where registered in a column to be provided in the registry book  
35 for that purpose.

1. Introduced by Committee on World's Columbian Exposition April 30, 1891, and ordered to first reading.
2. First reading April 30, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the participation of the State of Illinois in the "World's Columbian Exposition," authorized by act of Congress of the United States to be held in the city of Chicago during the year 1893, in commemoration of the discovery of America in the year 1492, and for an appropriation to pay the cost and expense of the same.

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WHEREAS, The United States, by act of congress, has provided for celebrating the four hundredth anniversary of the discovery of America, by holding a universal exposition in which the governments and peoples of foreign nations and of the States of this Union have been invited to join; and

WHEREAS, The great importance to mankind of the event which it is intended thus to commemorate, the location of said exposition in the chief city of this State, affording to our citizens opportunity for educational improvement and material benefits rarely accorded to any people; the prominent position already attained by this new commonwealth in the ranks of industrial progress, and its abundant resources from which to gather additional wealth and honors, all appeal to our patriotism, State pride, sense of duty and self-interest so urgently as not to be wisely disregarded, demanding that the State of Illinois, following the example of the federal government, shall, in its municipal capacity, participate as an exhibiter in the

11. World's Columbian Exposition in a manner at once creditable to the citizens and of the attractive interest to all visitors; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That, in order that the State of Illinois may participate in the said World's Columbian Exposition, the Governor is hereby authorized and empowered to appoint a board, to be known as the Illinois Board of World's Fair Commissioners, which board shall be made up of four women, chosen from the State at large, and twenty men, chosen one from each congressional district of the State. Of the twenty men, eight shall be members of the present State Board of Agriculture; and not more than half of the men and half of the women in the board shall be of the same political party. Said board is hereby authorized and empowered to secure the necessary allotment of grounds, cause to be erected thereon and suitably furnished, in accordance with the plans to be approved by the Governor and by the Chief of Construction of the Board of Directors of the World's Columbian Exposition, the necessary building or buildings to serve for exhibition purposes and as headquarters for the several departments, boards, commissions and bureaus of the State government, for the Illinois members of the National Commission and of the Board of Lady Managers, and for the Illinois Division of the Grand Army of the Republic, with the necessary halls, offices and accessories.

§ 2. The said board is hereby empowered to obtain and cause to be properly installed in said exhibition building or buildings a *collective, departmental exhibit* for the State of Illinois, which shall illustrate the natural resources of this State, together with the methods employed and results accomplished by the State, in its municipal capacity, through its several departments, boards, commissions, bureaus and other agencies, in the work of promoting the moral, educational and material welfare of its inhabitants, so far as such methods and results are susceptible of exhibition

9 in the manner proposed; such collective exhibit to include and to be chiefly  
10 composed as follows:

11 First--(a). A model common school room of high grade fully equipped  
12 and furnished under the direction of the State Superintendent of Public  
13 Instruction.

14 (b). An illustration of the methods and results of educational work as  
15 pursued in the normal universities, the public, technical and art schools  
16 and the high schools of the State.

17 (c). An exhibit by the University of Illinois of the equipment, methods  
18 of instruction, and achievements of that institution in its several depart-  
19 ments.

20 (d). An exhibit of the educational and industrial work as conducted in  
21 the State charitable institutions.

22 (e). An exhibit illustrating the entire system of the inspection of the  
23 several varieties of grain, as established by the State Railroad and Ware-  
24 house Commission and practiced by the State Grain Inspection Department.

25 Second--Collections, correctly classified and labeled, illustrating the nat-  
26 ural history and archæology of this State, including its stratigraphical and  
27 economic geology, its soils, subsoils, useful clays and ores, and other pro-  
28 ducts of mines and quarries; its botany and zoology, with the products of  
29 forests, lakes and rivers; also an exhibit by the State Fish Commission of  
30 native and cultivated live fish, with hatchery and appliances and equip-  
31 ments for transportation, models of fishways in use, etc.; also a special col-  
32 lection of the cultivated products in the several branches of agriculture,  
33 farm culture, horticulture and floriculture, in illustration of the widely  
34 different conditions of soil and climate under which rural husbandry is  
35 practiced in the various sections of this State.

36 Third--Architectural drawings (with elevations) of every public building  
37 erected and now used or maintained, in whole or in part by the State,

88 with map showing the location of each and accompanied with historical  
89 and explanatory notes and tables; also maps, charts, diagrams and  
90 tables for the State, and, so far as practicable, for each county, showing  
91 its geology, distribution of useful minerals, its topography, with its lakes,  
92 rivers, canals and railways, its climatic conditions, its industrial growth  
93 and increase in population by decades, from the date of organization to the  
94 year 1890, together with such other physical features as possess a scientific  
95 interest, or would be taken into account in estimating the ability of our  
96 territory to maintain a dense population.

§ 3. It is hereby made the duty of the officers of the several depart-  
2 ments, boards, bureaus and commissions in the service of the government  
3 of this State, to co-operate with the said board in collecting and arranging  
4 for exhibition such material as may be available for display in illustration  
5 of the methods employed and results achieved in their respective lines of  
6 official duty, and, if so required by said board, they shall furnish complete  
7 catalogues, direct the installation, assume the immediate care, while on ex-  
8 hibition, and cause the removal of their respective exhibits at the close of  
9 said World's Columbian Exposition, in accordance with the requirements of  
10 the management of the same. The said board is also hereby authorized to  
11 accept loans or donations and, with the approval of the Governor, to ac-  
12 quire by purchase for the State, specimens and material, if deemed neces-  
13 sary, to supplement any of said departmental exhibits.

§ 4. Consent of the General Assembly is hereby given that there may be  
9 placed on exhibition, as part of said *collective exhibit*, in a suitable fire-  
8 proof structure to be erected for the purpose, such relics and trophies be-  
4 longing to and in custody of the State as the Governor may designate; the  
5 same to be and remain at all times, during their removal, while on exhibi-  
6 tion, and during their return to their present depository, in the sole care  
7 and charge of their official custodian.

§ 5. The said board shall exercise the general management, control and supervision of all matters pertaining to the grounds, structures and exhibit of the State of Illinois at the World's Columbian Exposition; shall make and authorize to be made the necessary contracts for structures and furniture, for labor, material and service, required to accomplish the entire work contemplated by this act; shall pay the cost and expense of the same from funds hereinafter appropriated for that purpose, and, within a reasonable time after the close of said World's Columbian Exposition, shall sell and dispose of the structures, furniture and other acquired material having a salable value, and not forming part of the exhibit, paying the net proceeds thereof to the Treasurer of this State, and shall make to the Governor of this State a full, detailed report, financial and otherwise, of the transactions of said board under the authority conferred and in discharge of the duties imposed upon said board by this act.

§ 6. Said board may, in its discretion, employ a competent person as an executive officer, for continuous service in preparatory work in connection with said State exhibit and until the close of its affairs, whose powers, duties and title shall be prescribed by said board, and whose compensation shall be fixed by said board, subject to the approval of the Governor. Said executive officer shall be removable at the pleasure of said board. The board shall also elect, from its own members, a president and secretary, who shall hold their respective offices during the entire term of service of the board, unless sooner removed by vote of a majority of all the members of the board, and shall receive such compensation as shall be fixed by the board. Any member of said board, other than said executive officer, president and secretary, rendering service in connection with said State exhibit by instruction of said board, may receive as compensation therefor, cost of transportation and five dollars per day, while actually employed in such service.

§ 7. The sum of one million dollars (\$1,000,000), or so much thereof as

9. may be necessary for the purpose, is hereby appropriated to defray the cost  
8. and expenses of the work contemplated by this act; to be paid by the State  
4. Treasurer from funds not otherwise appropriated, upon warrants drawn by  
5. the Auditor of State, which warrants shall be drawn only upon vouchers  
6. and bills signed by the president of said board, countersigned by the sec-  
7. retary thereof, and approved by the Governor: *And provided, also,* that not  
8. to exceed one-half of the sum hereby appropriated shall be paid from the  
9. State treasury during the year 1891: *And provided, further,* that in no event  
10. shall the State of Illinois be held or become liable in any amount in ex-  
11. cess of the sum hereby appropriated.



1. Introduced by Committee on World's Columbian Exposition and ordered to first reading.
2. First reading April 30, 1891.
3. Taken up May 5, 1891, and referred to Committee on Appropriations.
4. Reported back May 8, 1891, with amendments, passage recommended, and ordered to second reading.

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## A BILL

For an act to provide for the participation of the State of Illinois in the "World's Columbian Exposition," authorized by act of Congress of the United States to be held in the city of Chicago during the year 1893, in commemoration of the discovery of America in the year 1492, and for an appropriation to pay the cost and expense of the same.

WHEREAS, The United States, by act of Congress, has provided for celebrating the four hundredth anniversary of the discovery of America, by holding a universal exposition in which the government and people of foreign nations and States of this Union have been invited to join; and

WHEREAS, The great importance to mankind of the event which it is intended thus to commemorate; the location of said exposition in the chief city of this State, affording to our citizens opportunity for educational improvement and material benefits rarely accorded to any people; the prominent position already attained by this new commonwealth in the ranks of industrial progress, and its abundant resources from which to gather additional wealth and honors;—all appeal to our patriotism, State pride, sense of duty and self-interest so urgently as not to be wisely disregarded, demanding that the State of Illinois, following the example of the federal government, shall, in its municipal capacity, participate as an exhibitor in the World's Columbian Exposition in a manner at once creditable to its

19 citizens and of attractive interest to all visitors: therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois represented*  
 2 *in the General Assembly*, That, in order that the State of Illinois may par-  
 3 ticipate in the said World's Columbian Exposition, the Governor is hereby  
 4 authorized and empowered to appoint a board, to be known as the Illinois  
 5 Board of World's Fair Commissioners, which board shall be made up of  
 6 four women, chosen from the State at large, and twenty men, chosen one  
 7 from each congressional district of the State. Of the twenty men, eight  
 8 shall be members of the present State Board of Agriculture; and not more than  
 9 half of the men and half of the women in the board shall be of the same  
 10 political party. Said board is hereby authorized and empowered to secure  
 11 the necessary allotment of grounds, cause to be erected thereon and suit-  
 12 ably furnished, in accordance with the plans to be approved by the Gov-  
 13 ernor and chief of construction of the board of directors of the World's  
 14 Columbian Exposition, the necessary building or buildings to serve for ex-  
 15 hibition purposes and as headquarters for the several departments, boards,  
 16 commissions and bureaus of the State government, for the Illinois members  
 17 of the national commission and of the board of lady managers, and for the  
 18 Illinois division of the Grand Army of the Republic, with the necessary  
 19 halls, offices and accessories.

§ 2. The said board is hereby empowered to obtain and cause to be prop-  
 2 erly installed in said exhibition building or buildings a *collective depart-*  
 3 *mental exhibit* for the State of Illinois, which shall illustrate the natural  
 4 resources of this State, together with the methods employed and results  
 5 accomplished by the State, in its municipal capacity, through its several  
 6 departments, boards, commissions, bureaus, and other agencies, in the work  
 7 of promoting the moral, educational and material welfare of its inhabi-  
 8 tants, so far as such methods and results are susceptible of exhibition in  
 9 the manner proposed; such collective exhibit to include and to be chiefly

10 composed as follows:

11 First (a). A model common school room of high grade fully equipped and  
12 furnished under the direction of the State Superintendent of Public In-  
13 struction.

14 (b). An illustration of the methods and results of educational work as  
15 pursued in the Normal universities, the public, technical and art schools  
16 and the high schools of the State.

17 (c). An exhibit by the University of Illinois of the equipment, methods  
18 of instruction, and achievements of that institution in its several depart-  
19 ments.

20 (d). An exhibit of the educational and industrial work as conducted in  
21 the State charitable institutions.

22 (e). An exhibit illustrating the entire system of the inspection of the  
23 several varieties of grain, as established by the State Railroad and Ware-  
24 house Commission and practiced by the State Grain Inspection Depart-  
25 ment.

26 Second. Collections, correctly classified and labeled, illustrating the nat-  
27 ural history and archaeology of this State, including its stratigraphical and  
28 economic geology, its soils, subsoils, useful clays and ores and other products  
29 of mines and quarries; its botany and zoology, with the products of forests,  
30 lakes and rivers; also an exhibit by the State Fish Commission of native  
31 and cultivated live fish, with hatchery and appliances and equipments for  
32 transportation, models of fishways in use, etc.; also a special col-  
33 lection of the cultivated products in the several branches of agriculture,  
34 farm culture, horticulture and floriculture, in illustration of the widely dif-  
35 ferent conditions of soil and climate under which rural husbandry is prac-  
36 ticed in the various sections of this State.

37 Third. Architectural drawings (with elevations) of every public building  
38 erected and now used or maintained, in whole or in part, by the State,

39 with map showing the location of each and accompanied with historical and  
 40 explanatory notes and tables; also maps, charts, diagrams and tables for the  
 41 State, and, so far as practicable, for each county, showing its geology, dis-  
 42 tribution of useful minerals, its topography, with its lakes, rivers, canals  
 43 and railways, its climatic conditions, its industrial growth and increase in  
 44 population by decades, from the date of organization to the year 1890, to-  
 45 gether with such other physical features as possess a scientific interest or  
 46 would be taken into account in estimating the ability of our territory to  
 47 maintain a dense population.

§ 3. It is hereby made the duty of the officers of the several departments,  
 2 boards, bureaus and commissions in the service of the government of this  
 3 State, to co-operate with the said board in collecting and arranging for ex-  
 4 hibition such material as may be available for display in illustration of the  
 5 methods employed and results achieved in their respective lines of official  
 6 duty, and, if so required by said board, they shall furnish complete cata-  
 7 logues, direct the installation, assume the immediate care, while on exhibi-  
 8 tion, and cause the removal of their respective exhibits at the close of said  
 9 World's Columbian Exposition, in accordance with the requirements of the  
 10 management of the same. The said board is also hereby authorized to ac-  
 11 cept loans or donations and, with the approval of the Governor, to acquire  
 12 by purchase for the State, specimens and material, if deemed necessary, to  
 13 supplement any of the said departmental exhibits.

§ 4. Consent of the General Assembly is hereby given that there may be  
 2 placed on exhibition, as part of said *collective exhibit*, in a suitable fire-  
 3 proof structure to be erected for the purpose, such relics and trophies be-  
 4 longing to and in custody of the State as the Governor may designate; the  
 5 same to be and remain at all times, during their removal, while on exhibi-  
 6 tion, and during their return to their present depository, in the sole care  
 7 and charge of their official custodian.

§ 5. The said board shall exercise the general management, control and supervision of all matters pertaining to the grounds, structures and exhibit of the State of Illinois at the World's Columbian Exposition; shall make and authorize to be made the necessary contracts for structures and furniture, for labor, material and service, required to accomplish the entire work contemplated by this act; shall pay the cost and expense of the same from funds hereinafter appropriated for that purpose, and, within a reasonable time after the close of said World's Columbian Exposition, shall sell and dispose of the structures, furniture and other acquired material having a salable value, and not forming part of the exhibit, paying the net proceeds thereof to the Treasurer of this State, and shall make to the Governor of this State a full, detailed report, financial and otherwise, of the transactions of said board under the authority conferred and in discharge of the duties imposed upon said board by this act.

§ 6. Said board may, in its discretion, employ a competent person as an executive officer, for continuous service in preparatory work in connection with said State exhibit and until the close of its affairs, whose powers, duties and title shall be prescribed by said board, and whose compensation shall be fixed by said board, subject to the approval of the Governor. Said executive officer shall be removable at the pleasure of said board. The board shall also elect, from its own members, a president and secretary, who shall hold their respective offices during the entire term of service of the board, unless sooner removed by vote of a majority of all the members of the board, and shall receive such compensation as shall be fixed by the board. Any member of said board, other than said executive officer, president and secretary, rendering service in connection with said State exhibit by instruction of said board, may receive as compensation therefor cost of transportation and five dollars per day while actually employed in such service.

§ 7. The sum of one million dollars (\$1,000,000), or so much thereof as  
 2 may be necessary for the purpose, is hereby appropriated to defray the cost  
 3 and expenses of the work contemplated by this act; to be paid by the State  
 4 Treasurer from funds not otherwise appropriated, upon warrants drawn by  
 5 the Auditor of State, which warrants shall be drawn only upon vouchers  
 6 and bills signed by the president of said board, countersigned by the secre-  
 7 tary thereof, and approved by the Governor: *And provided also*, that not to  
 8 exceed one-half of the sum hereby appropriated shall be paid from the  
 9 State Treasury during the year 1891: *And provided further*, that in no event  
 10 shall the State of Illinois be held or become liable in any amount in excess  
 11 of the sum hereby appropriated.

#### AMENDMENTS TO SENATE BILL No. 774. RECOMMENDED BY COM- MITTEE ON APPROPRIATIONS.

Amend section 1 of printed bill so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
 2 *in the General Assembly*. That in order that the State of Illinois may par-  
 3 ticipate in the said World's Columbian Exposition, the present members of  
 4 the State Board of Agriculture are hereby constituted and appointed com-  
 5 missioners, to be known as the Illinois Board of World's Fair Commissioners.  
 6 Said Board of World's Fair Commissioners shall serve until the close of  
 7 the World's Columbian Exposition, and until the duties of said commission,  
 8 in connection with said exposition, are fully performed as contemplated in  
 9 this act. Said commission is hereby authorized and empowered to secure  
 10 the necessary allotment of grounds, to be erected thereon and suit-  
 11 ably furnished in accordance with the plans to be approved by the Gov-  
 12 ernor, and by the Chief of Construction of the Board of Directors of the  
 13 World's Columbian Exposition, the necessary building or buildings, to serve  
 14 for exhibition purposes, and as headquarters for the several departments

15 boards, commissions and bureaus of the State government, for the Illinois  
 16 members of the National Commission and of the Board of Lady Managers,  
 17 and for the soldiers and sailors of Illinois, with the necessary halls, offices  
 18 and accessories. The materials produced in this State, so far as the same  
 19 may be available, shall be used in the construction of said buildings, and  
 20 an impartial opportunity shall be afforded the owners of stone and marble  
 21 quarries and the manufacturers of either materials in Illinois, to compete  
 22 for furnishing the same, whether in whole or in part. In case of any va-  
 23 cancy or vacancies in said Board of World's Fair Commissioners, through  
 24 the death, removal, resignation or other disability of any member or mem-  
 25 bers thereof, the place of each member so lost from said board of commis-  
 26 sioners shall be filled by the member succeeding him in the State Board of  
 27 Agriculture.

Amend section 2, line 1 of printed bill, by striking out the word "board"  
 and inserting instead the words "Board of Commissioners." Also, making this  
 same change wherever the word "board" occurs thereafter in the bill, as fol-  
 lows, in

Section 3, line 3;

Section 3, line 6;

Section 3, line 10;

Section 5, line 1;

Section 6, line 1;

Section 6, line 4;

Section 6, line 5;

Section 6, line 7;

Section 6, line 9;

Section 6, line 10;

Section 6, line 11;

Section 7, line 6.

Amend section 2, item 1 (b), line 15, by inserting the word "State" between the words "the" and "Normal."

Amend section 2, item 2, line 32, by striking out the word "special," and inserting instead thereof the words "full and complete."

Amend section 2, line 33, by inserting the word "all" between the words "of" and "the cultivated."

Amend section 2, line 39, by striking out the word "with" and inserting instead thereof the word "by."

Amend section 6 so as to read as follows:

Section 6. Said board of commissioners may, in their discretion, employ  
 2 a competent person as an executive officer for continuous service in prepar-  
 3 atory work in connection with said State exhibit and until the close of its  
 4 affairs, whose powers, duties and title shall be prescribed by said  
 5 board of commissioners, and whose compensation shall be fixed by said  
 6 board of commissioners, subject to the approval of the Governor. Said ex-  
 7 ecutive officer shall be removable at the pleasure of said board of commis-  
 8 sioners. The board of commissioners shall also elect a president from their  
 9 own members and a secretary, who shall hold their respective offices during  
 10 the respective terms of service of the board of commissioners, unless sooner  
 11 removed by a majority of the members of the board of commissioners; and  
 12 said president and secretary and members of said board rendering services  
 13 in connection with and for said State exhibit by instructions of said board  
 14 of commissioners, may receive such compensation as shall be fixed by said  
 15 board.

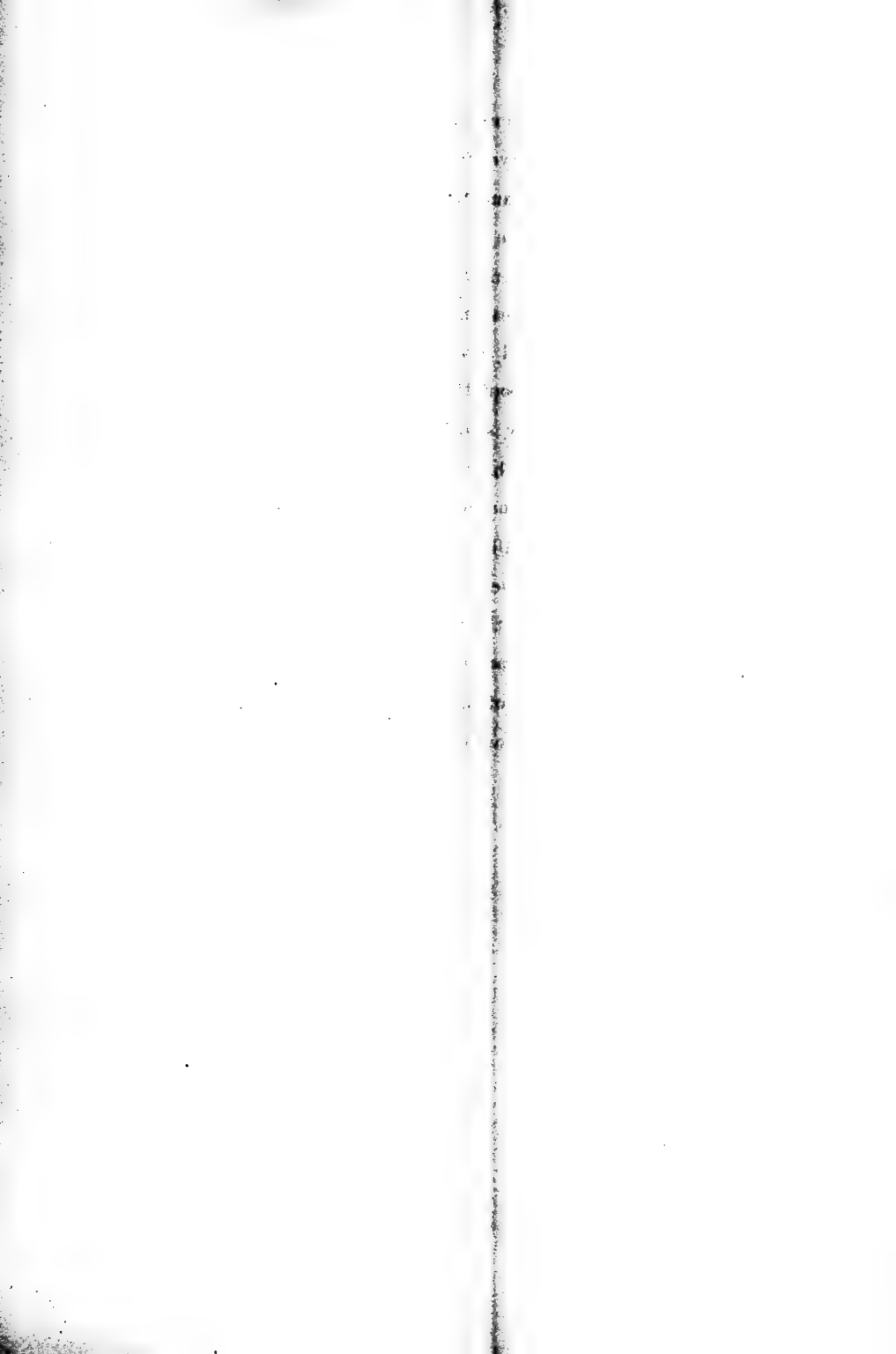
Amend by adding the following, to be entitled sections 8 and 9.

Section 8. There is hereby constituted a board to be known as the Illinois  
 2 Woman's Exposition Board, to be made up of four women, appointed by  
 3 the Governor, from the State at large, together with the two Illinois mem-  
 4 bers of the board of lady managers of the World's Columbian Commission,



5 and their alternates, who shall be **ex-officio** members. The four women ap-  
6 pointed by the Governor shall serve from the date of their appointment  
7 until the close of the exposition, and the completion of the work necessarily  
8 incumbent thereto. In case of the occurrence of a vacancy or vacancies,  
9 through the death, disability, removal or resignation of any of said four  
10 women, such vacancy or vacancies shall be filled by appointment by the  
11 Governor. Each member of said board which is hereby constituted may,  
12 when actually employed in or about the business of the board, receive such  
13 compensation as shall be fixed by said board.

Section 9. From the amount hereinbefore appropriated in section 7 of  
2 this act, there is hereby set apart not to exceed ten per cent., which sum shall  
3 be controlled and expended by the Illinois Woman's Exposition Board in repre-  
4 senting the industries of the women of the State of Illinois at the exposi-  
5 tion. Said sum shall be paid by the State Treasurer upon warrants drawn  
6 by the Auditor of State, which warrants shall be drawn only upon vouchers  
7 and bills signed by the president of said Woman's Exposition Board, counter-  
8 signed by the secretary and approved by the Governor.



1. Introduced by Committee on World's Columbian Exposition and ordered to first reading.
2. First reading April 30, 1891.
3. Taken up May 5, 1891, and referred to Committee on Appropriations.
4. Reported back May 8, 1891, with amendments, passage recommended, and ordered to second reading.
5. Second reading May 21, 1891, amended, and ordered to third reading.

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## A BILL

For an act to provide for the participation of the State of Illinois in the "World's Columbian Exposition," authorized by act of Congress of the United States to be held in the city of Chicago during the year 1893, in commemoration of the discovery of America in the year 1492, and for an appropriation to pay the cost and expense of the same.

---

WHEREAS, The United States, by act of Congress, has provided for celebrating the four hundredth anniversary of the discovery of America, by holding a universal exposition in which the government and people of foreign nations and States of this Union have been invited to join; and

WHEREAS, The great importance to mankind of the event which it is intended thus to commemorate; the location of said exposition in the chief city of this State, affording to our citizens opportunity for educational improvement and material benefits rarely accorded to any people; the prominent position already attained by this new commonwealth in the ranks of industrial progress, and its abundant resources from which to gather additional wealth and honors, all appeal to our patriotism, State pride, sense of duty and self-interest so urgently as not to be wisely disregarded, demanding that the State of Illinois, following the example of the federal government, shall, in its municipal capacity, participate as an exhibitor in the World's Columbian Exposition in a manner at once creditable to its

12 citizens and of attractive interest to all visitors; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois represented*  
2 *in the General Assembly,* That, in order that the State of Illinois may par-  
3 ticipate in the said World's Columbian Exposition, the present members of  
4 the State Board of Agriculture are hereby constituted and appointed com-  
5 missioners, to be known as the Illinois Board of World's Fair Commissioners.  
6 Said Board of World's Fair Commissioners shall serve until the close of  
7 the World's Columbian Exposition, and until the duties of said commission,  
8 in connection with said exposition, are fully performed as contemplated in  
9 this act. Said commission is hereby authorized and empowered to secure  
10 the necessary allotment of grounds, cause to be erected thereon and suit-  
11 ably furnished in accordance with the plans to be approved by the Gov-  
12 ernor, and by the Chief of Construction of the Board of Directors of the  
13 World's Columbian Exposition, the necessary building or buildings, to serve  
14 for exhibition purposes, and as headquarters for the several departments,  
15 boards, commissions and bureaus of the State government, for the Illinois  
16 members of the National Commission and of the Board of Lady Managers,  
17 and for the soldiers and sailors of Illinois, with the necessary halls, offices  
18 and accessories. The materials produced in this State, so far as the same  
19 may be available, shall be used in the construction of said buildings, and  
20 an impartial opportunity shall be afforded the owners of stone and marble  
21 quarries and the manufacturers of other materials in Illinois, to compete  
22 for furnishing the same, whether in whole or in part. In case of any va-  
23 cancy or vacancies in said Board of World's Fair Commissioners, through  
24 the death, removal, resignation or other disability of any member or mem-  
25 bers thereof, the place of each member so lost from said board of commis-  
26 sioners shall be filled by the member succeeding him in the State Board of  
27 Agriculture.

§ 2. The said board of commissioners is hereby empowered to obtain and  
3 cause to be properly installed in said exhibition building or buildings a collec-

3 *tive departmental exhibit* for the State of Illinois, which shall illustrate the  
 4 natural resources of this State, together with the methods employed and results  
 5 accomplished by the State, in its municipal capacity, through its several  
 6 departments, boards, commissions, bureaus, and other agencies, in the work  
 7 of promoting the moral, educational and material welfare of its inhabi-  
 8 tants, so far as such methods and results are susceptible of exhibition in  
 9 the manner proposed; such collective exhibit to include and to be chiefly  
 10 composed as follows:

11 First (a). A model common school room of high grade fully equipped and  
 12 furnished under the direction of the State Superintendent of Public In-  
 13 struction.

14 (b). An illustration of the methods and results of educational work as  
 15 pursued in the State Normal universities, the public, technical and art schools  
 16 and the high schools of the State.

17 (c). An exhibit by the University of Illinois of the equipment, methods  
 18 of instruction, and achievements of that institution in its several depart-  
 19 ments.

20 (d). An exhibit of the educational and industrial work as conducted in  
 21 the State charitable institutions.

22 (e). An exhibit illustrating the entire system of the inspection of the  
 23 several varieties of grain, as established by the State Railroad and Ware-  
 24 house Commission and practiced by the State Grain Inspection Depart-  
 25 ment.

26 Second. Collections, correctly classified and labeled, illustrating the nat-  
 27 ural history and archaeology of this State, including its stratigraphical and  
 28 economic geology, its soils, subsoils, useful clays and ores and other products  
 29 of mines and quarries; its botany and zoology, with the products of forests;  
 30 lakes and rivers; also an exhibit by the State Fish Commission of native  
 31 and cultivated live fish, with hatchery and appliances and equipments for

32 transportation, models of fishways in use, etc.; also a full and complete col-  
 33 lection of all the cultivated products in the several branches of agriculture,  
 34 farm culture, horticulture and floriculture, in illustration of the widely dif-  
 35 ferent conditions of soil and climate under which rural husbandry is prac-  
 36 ticed in the various sections of this State.

37 Third. Architectural drawings (with elevations) of every public building  
 38 erected and now used or maintained, in whole or in part, by the State,  
 39 with map showing the location of each and accompanied by historical and  
 40 explanatory notes and tables; also maps, charts, diagrams and tables for the  
 41 State, and, so far as practicable, for each county, showing its geology, dis-  
 42 tribution of useful minerals, its topography, with its lakes, rivers, canals  
 43 and railways, its climatic conditions, its industrial growth and increase in  
 44 population by decades, from the date of organization to the year 1890, to-  
 45 gether with such other physical features as possess a scientific interest or  
 46 would be taken into account in estimating the ability of our territory to  
 47 maintain a dense population.

§ 3. It is hereby made the duty of the officers of the several departments,  
 2 boards, bureaus and commissions in the service of the government of this  
 3 State, to co-operate with the said board of commissioners in collecting and  
 4 arranging for exhibition such material as may be available for display in  
 5 illustration of the methods employed and results achieved in their respective  
 6 lines of official duty, and, if so required by said board of commissioners,  
 7 they shall furnish complete catalogues, direct the installation, assume the  
 8 immediate care, while on exhibition, and cause the removal of their respec-  
 9 tive exhibits at the close of said World's Columbian Exposition, in accord-  
 10 ance with the requirements of the management of the same. The said  
 11 board of commissioners is also hereby authorized to accept loans or do-  
 12 nations and, with the approval of the Governor, to acquire by purchase for  
 13 the State, specimens and material, if deemed necessary, to supplement any  
 14 of the said departmental exhibits.

§ 4. Consent of the General Assembly is hereby given that there may be placed on exhibition, as part of said *collective exhibit*, in a suitable fire-proof structure to be erected for the purpose, such relics and trophies belonging to and in custody of the State as the Governor may designate; the same to be and remain at all times, during their removal, while on exhibition, and during their return to their present depository, in the sole care and charge of their official custodian.

§ 5. The said board of commissioners shall exercise the general management, control and supervision of all matters pertaining to the grounds, structures and exhibit of the State of Illinois at the World's Columbian Exposition; shall make and authorize to be made the necessary contracts for structures and furniture, for labor, material and service, required to accomplish the entire work contemplated by this act; shall pay the cost and expense of the same from funds hereinafter appropriated for that purpose, and, within a reasonable time after the close of said World's Columbian Exposition, shall sell and dispose of the structures, furniture and other acquired material having a salable value, and not forming part of the exhibit, paying the net proceeds thereof to the Treasurer of this State, and shall make to the Governor of this State a full, detailed report, financial and otherwise, of the transactions of said board under the authority conferred and in discharge of the duties imposed upon said board by this act.

Section 6. Said board of commissioners may, in their discretion, employ a competent person as an executive officer for continuous service in preparatory work in connection with said State exhibit and until the close of its affairs, whose powers, duties and title shall be prescribed by said board of commissioners, and whose compensation shall be fixed by said board of commissioners, subject to the approval of the Governor. Said executive officer shall be removable at the pleasure of said board of commissioners. The board of commissioners shall also elect a president from their

own members, and a secretary, who shall hold their respective offices during the respective terms of service of the board of commissioners, unless sooner removed by a majority of the members of the board of commissioners; and said president and secretary and members of said board rendering services in connection with and for said State exhibit by instructions of said board of commissioners, may receive such compensation as shall be fixed by said board.

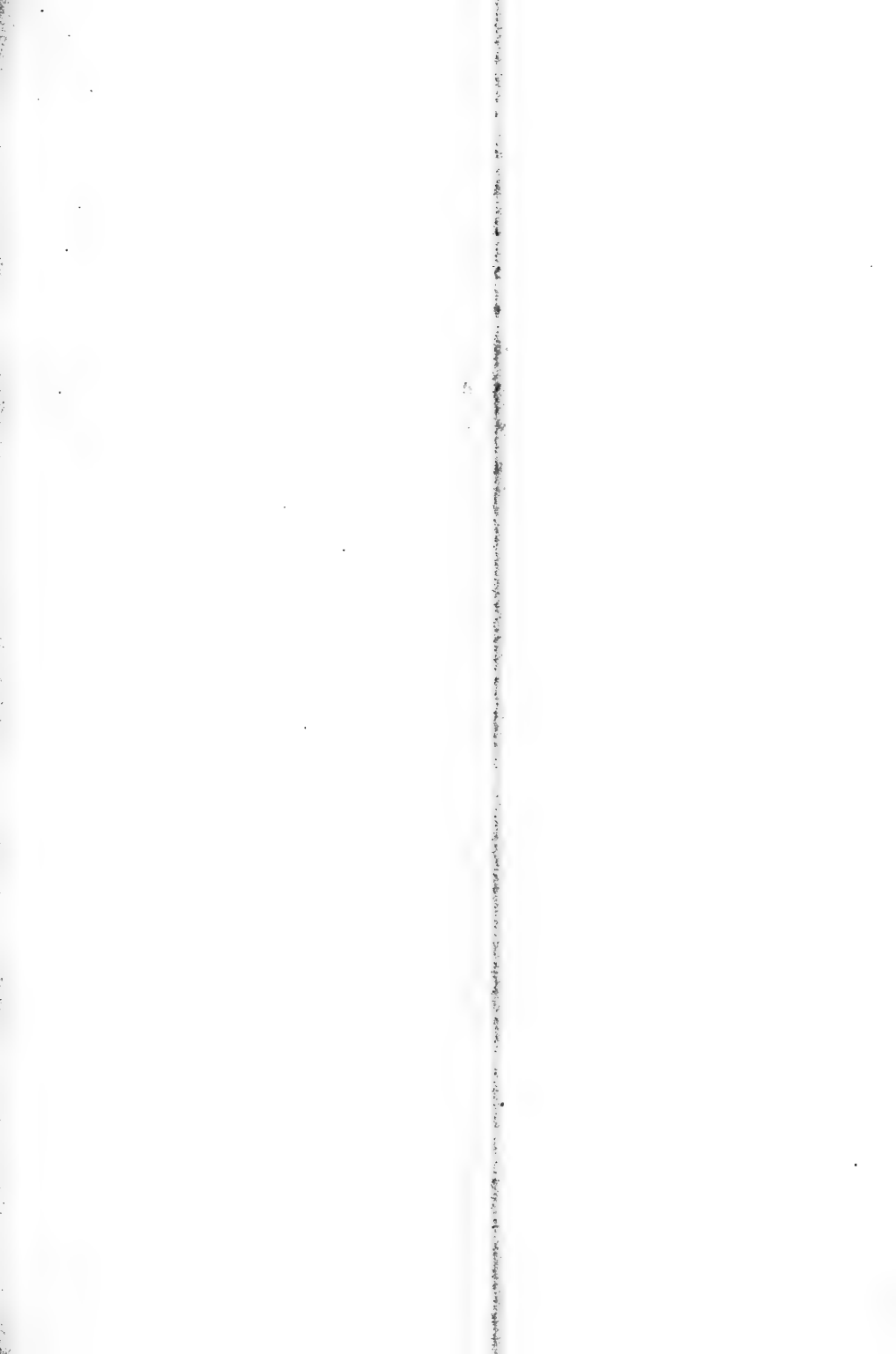
§ 7. The sum of one million dollars (\$1,000,000), or so much thereof as may be necessary for the purpose, is hereby appropriated to defray the cost and expenses of the work contemplated by this act; to be paid by the State Treasurer from funds not otherwise appropriated, upon warrants drawn by the Auditor of Public Accounts, which warrants shall be drawn only upon vouchers and bills signed by the president of said board of commissioners, countersigned by the secretary thereof, and approved by the Governor: *And provided also*, that not to exceed one-half of the sum hereby appropriated shall be paid from the State treasury during the year 1891: *And provided further*, that in no event shall the State of Illinois be held or become liable in any amount in excess of the sum hereby appropriated.

Section 8. There is hereby constituted a board to be known as the Illinois Woman's Exposition Board, to be made up of four women, appointed by the Governor, from the State at large, together with the two Illinois members of the board of lady managers of the World's Columbian Commission, and their alternates, who shall be ex-officio members. The four women appointed by the Governor shall serve from the date of their appointment until the close of the exposition, and the completion of the work necessarily incumbent thereto. In case of the occurrence of a vacancy or vacancies, through the death, disability, removal or resignation of any of said four women, such vacancy or vacancies shall be filled by appointment by the Governor. Each member of said board which is hereby constituted may,



12 when actually employed in or about the business of the board, receive such  
13 compensation as shall be fixed by said board.

Section 9. From the amount hereinbefore appropriated in section 7 of  
2 this act, there is hereby set apart not to exceed ten per cent., which sum shall  
3 be controlled and expended by the Illinois Woman's Exposition Board in repre-  
4 senting the industries of the women of the State of Illinois at the exposi-  
5 tion. Said sum shall be paid by the State Treasurer upon warrants drawn  
6 by the Auditor of Public Accounts, which warrants shall be drawn only upon  
7 vouchers and bills signed by the president of said Woman's Exposition Board,  
8 countersigned by the secretary and approved by the Governor.



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AMENDMENTS TO SENATE BILL No. 374. PROPOSED BY THE COMMITTEE ON APPROPRIATIONS.

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Amend section 1 by substituting the following after the word "Assembly" in line 2:

That in order that the State of Illinois may participate in the World's Columbian Exposition the Governor is hereby authorized and empowered to appoint a board to be known as the Illinois Board of World's Fair Commissioners, which board shall be composed of six members at large, of whom at least four shall be women and twenty men, chosen one from each congressional district of the State. Of the twenty members for the congressional districts, ten members shall be members of the present State Board of Agriculture, to be chosen by said Board of Agriculture, and not more than half of the men and half of the women in the board shall be of the same political party. There shall also be appointed, as heretofore provided, twenty-six alternates, six at large, of whom at least four shall be women, and to be chosen by the Governor, and twenty men, chosen from each congressional district of the State, ten to be chosen by the State Board of Agriculture and ten to be chosen by the Governor, and not more than half of the men and half of the women in the board shall be of the same political party. The Governor shall have power to fill vacancies in the commission whenever vacancies shall occur by death, resignation or otherwise. Said board is hereby authorized and empowered to secure the necessary allotment of grounds, cause to be erected thereon and suitably furnished, in accordance with the plans to be approved by the Governor and by the chief of construction of the Board of Directors of the World's Columbian Exposition, the necessary building or buildings to serve for exhibition purposes and as headquarters for the several departments, boards, commissions and bureaus of

the State government for the Illinois members, and for the Illinois division of the Grand Army of the Republic, with the necessary halls, offices and accessories.

Amend section 2 by inserting after the word "of" in line 32, page 3, the word "all."

Amend section 2, line 31, page 3, by striking out the word "special" and insert the words "full and complete" in lieu thereof.

Amend by inserting after the word "population" on page 4 the following to be known as item fourth: "To make accommodations for the purpose of exhibiting live stock of all kinds bred and used in the State."

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AMENDMENT TO SENATE BILL No. 374—IN THE HOUSE.

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Amend section one (1) of Senate Bill No. 374, as amended by the Senate, by striking out all after the word "Assembly" in the second line of said amended section and insert the following, to-wit:

"That a board of commissioners, to be known as the World's Columbian  
2 Exposition Commission for the State of Illinois, and to consist of one mem-  
3 ber from each congressional district and one from the State at large, to be  
4 chosen equally from the different political parties, and to consist of repre-  
5 sentative citizens in the various industries and arts of this State, six (6) of  
6 whom shall be members of the State Board of Agriculture, be and is hereby  
7 created. Said commission shall consist of the following named persons,  
8 to-wit:.....  
9 and the members of the national commission and of the board of lady  
10 managers of the World's Columbian commission for the State of Illinois, and  
11 the president of the national board of lady managers, shall, also, in addition  
12 to above, be members of said commission, who shall hold their positions  
13 until six months after the close of the exposition. Any vacancies in the  
14 membership caused by refusal to act, resignation, death, removal from this  
15 State, or from any other cause, shall be filled by appointment of the Gov-  
16 ernor of this State: each new member to be chosen from the same political  
17 party and to represent the same interest as that of his predecessor. Said  
18 commission is hereby authorized and empowered to secure the necessary  
19 allotment of grounds, cause to be erected thereon and suitably furnished in  
20 accordance with the plans to be approved by the Governor, and the chief  
21 of construction of the board of directors of the World's Columbian Exposi-  
22 tion, the necessary building or buildings, to serve for exhibition purposes,

23 and as headquarters for the several departments, boards, commissions and  
24 bureaus of the State government, for the Illinois members of the national  
25 commission and of the board of lady managers, and for the soldiers and  
26 sailors of Illinois, with the necessary halls, offices and accessories. The  
27 materials produced in this State so far as the same may be available, shall  
28 be used in the construction of said buildings, and an impartial opportunity  
29 shall be afforded the owners of stone and marble quarries and the manu-  
30 facturers of either materials in Illinois, to compete for furnishing the same,  
31 whether in whole or in part.

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AMENDMENT TO SENATE BILL No. 374—IN HOUSE.

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Adopted by the House of Representatives June 3 and 4, 1891, ordered printed and engrossed June 4, 1891.

1. Amend section 2 after line 25 by adding the words, "Five per cent. of the amount appropriated by this act shall be devoted to the encouragement of an exhibit of live stock owned in the State of Illinois."

2. Amend section 5 of the printed bill by inserting after the word "shall" in the 3rd line of said section a comma, also the words, "Subject to the approval of the Governor."

3. Amend section six of the printed bill by adding the following at the end of said section in the fifteenth line: "The board of commissioners shall require from its secretary detailed reports on the first day of each calendar month of all transactions connected with the commission for the preceding month. The report shall include a complete balance sheet to date and shall be filed each month with the Secretary of State, and shall at all times be open to the inspection of any member of the board of commissioners, and shall with the records of the board of commissioners be deemed public records."

4. Amend section 7, line 11, after the word "appropriation" to read as follows: "*And provided further*, that in all mechanical or other labor performed on the construction of buildings which shall be paid for out of this appropriation, eight hours shall constitute a days labor, and the price paid for such labor shall not be less than the established minimum rate in the city of Chicago; also that all disputes arising between employers and employees shall be adjusted by arbitration."

5. Amend section 7, line 5, by striking out the word "and," and inserting in lieu thereof the following, "accompanied with itimized."

6. Amend line 1 of section 7 of the printed bill by striking out the words and figures "one million dollars (\$1,000,000)," and inserting in place thereof the words and figures, "seven hundred and fifty thousand dollars (\$750,000)."

7. Amend section 8 by adding therein, "with the approval of the Governor."

8. Amend section 9, line 7, by striking out the word "and," in said line, and inserting in lieu thereof, "accompanied with itemized."

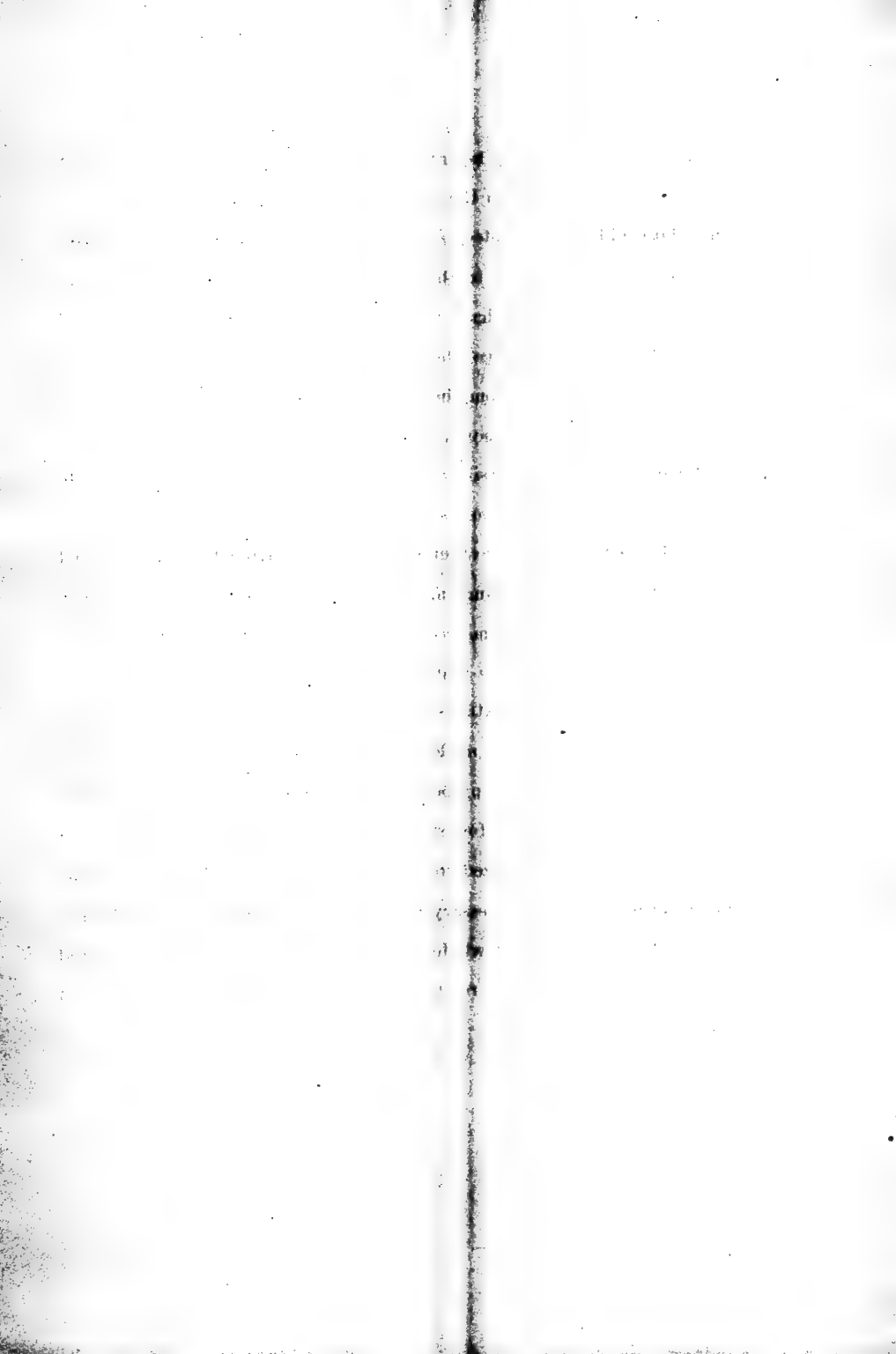
9. Strike out the words, "not to exceed," in line 2 of section 9.

10. Amend by adding the following additional section:

Section 10. The buildings authorized by this act to be constructed and all improvements made on the grounds of the exposition with the funds provided by this act, shall remain the property of the State of Illinois until disposed of as herein provided. Before any money is drawn from the treasury for such buildings or improvements the city of Chicago, or the owner of the land upon which the buildings and improvements are located, shall enter into a contract with the said board of commissioners, as herein provided, to the effect that such buildings, improvements and fixtures of whatever kind shall be and remain the sole and exclusive property of the State of Illinois until disposed of as provided in this act. The said board of commissioners are hereby authorized and required to make and enter into the contract provided for herein, on the part of the State. And it shall be their duty within one year after the final closing of the exposition, or sooner if practicable, to dispose of said buildings, improvements and fixtures of whatever kind, to the best advantage of the State, by making public advertisements in at least three (3) daily newspapers in the city of Chicago having the largest circulation, fixing the time and place at which sealed proposals shall be received containing propositions to purchase said buildings and improvements. At least ninety (90) days notice shall be given of the time and place at which such proposals will be received. At the time indicated the proposals shall be opened in the presence of the officials aforesaid and



22 of such other persons as may be interested therein, and the proposition or  
23 propositions most favorable to the State shall be accepted. The person or  
24 persons whose bids are accepted shall within thirty (30) days thereafter  
25 deposit the amounts required in the treasury of the State of Illinois. And  
26 such person or persons shall have the right to remove such buildings and  
27 improvements from the premises where they are located, and shall be entitled  
28 to twelve (12) months time from the day of sale to remove the same, having  
29 first deposited the purchase money in the State treasury. And neither the  
30 State of Illinois, nor such person or persons, shall be required to pay to  
31 the owner or lessee of the grounds on which such buildings and improve-  
32 ments are located any rent or other compensation during the time required  
33 for the erection of said buildings and improvements, or for the occupancy  
34 of said grounds during the time required by this act for the purpose of the  
35 exposition, or during the time required for the sale and removal of such  
36 buildings, improvements or fixtures. The said board of commissioners may  
37 reject any or all propositions made, and re-advertise as herein provided,  
38 from time to time, until such proposition or propositions are made as will  
39 fully compensate the State for such property. And said officials, or a  
40 majority of them, are authorized to make and execute all such bills of sale  
41 or conveyances as may be necessary to transfer the title of such buildings,  
42 improvements and fixtures of whatever kind to the purchasers thereof, and  
43 to make all needful rules and regulations for advertising and disposing of  
44 the same.



REPORT OF CONFERENCE COMMITTEE ON

37th Assem.

SENATE—No. 374.

June 1891

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*To the Honorable the House of Representatives:*

Your committee appointed as a Committee of Conference on Senate Bill No. 374, being a bill for "An act to provide for the participation of the State of Illinois in the World's Columbian Exposition, authorized by act of Congress of the United States to be held in the City of Chicago during the year 1893, in commemoration of the discovery of America in the year 1492, and for an appropriation to pay the cost and expense of the same," respectfully report as follows:

They recommend that the Senate concur with the House in the first, second, third, fourth, fifth, seventh, eighth, ninth and tenth amendments, as follows, to-wit:

1. Amend section 2 after line 25 by adding the words, "Five per cent of the amount appropriated by this act shall be devoted to the encouragement of an exhibit of live stock owned in the State of Illinois."

2. Amend section 5 of the printed bill by inserting after the word "shall" in the third line of said section a comma, also the words, "Subject to the approval of the Governor."

3. Amend section 6 of the printed bill by adding the following at the end of said section in the fifteenth line: "The board of commissioners shall require from its secretary detailed reports on the first day of each calendar month of all the transactions connected with the commission for the preceding month. The report shall include a complete balance sheet to date and shall be filed each month with the Secretary of State, and shall at all times be open to the inspection of any member of the board of commissioners, and shall with the records of the board of commissioners be deemed public records."

4. Amend section 7, line 11, after the word "appropriation" to read as follows: "And provided, further, that in all mechanical or other labor performed

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2  
on the construction of buildings which shall be paid for out of this appropriation, eight hours shall constitute a day's labor, and the price paid for such labor shall not be less than the established minimum rate in the city of Chicago; also that all disputes arising between employers and employees shall be adjusted by arbitration."

5. Amend section 7, line 5, by striking out the word "and," and inserting in lieu thereof the following, "accompanied with itemized."

7. Amend section 8 by adding therein, "with the approval of the Governor."

8. Amend section 9, line 7, by striking out the word "and," in said line, and inserting in lieu thereof, "accompanied with itemized."

9. Strike out the words, "not to exceed," in line 2 of section 9.

10. Amend by adding the following additional section:

Section 10. The buildings authorized by this act to be constructed and all improvements made on the grounds of the exposition with the funds provided by this act, shall remain the property of the State of Illinois until disposed of as herein provided. Before any money is drawn from the treasury for such buildings or improvements the city of Chicago, or the owner of the land upon which the buildings and improvements are located, shall enter into a contract with the said board of commissioners, as herein provided, to the effect that such buildings, improvements and fixtures of whatever kind shall be and remain the sole and exclusive property of the State of Illinois until disposed of as provided in this act. The said board of commissioners are hereby authorized and required to make and enter into the contract provided for herein, on the part of the State. And it shall be their duty, within one year after the final closing of the exposition, or sooner, if practicable, to dispose of said buildings, improvements and fixtures of whatever kind, to the best advantage of the State, by making public advertisements in at least three (3) daily newspapers in the city of Chi-

17 cago having the largest circulation, fixing the time and place at which sealed  
18 proposals shall be received, containing propositions to purchase said buildings  
19 and improvements. At least ninety (90) days' notice shall be given of the  
20 time and place at which such proposals will be received. At the time indicated  
21 the proposals shall be opened in the presence of the officials aforesaid and  
22 of such other persons as may be interested therein, and the proposition or  
23 propositions most favorable to the State shall be accepted. The person or  
24 persons whose bids are accepted shall within thirty (30) days thereafter  
25 deposit the amounts required in the treasury of the State of Illinois. And  
26 such person or persons shall have the right to remove such buildings and  
27 improvements from the premises where they are located, and shall be entitled  
28 to twelve (12) months time from the day of sale to remove the same, having  
29 first deposited the purchase money in the State treasury. And neither the  
30 State of Illinois, nor such person or persons, shall be required to pay to  
31 the owner or lessee of the grounds on which such buildings and improve-  
32 ments are located any rent or other compensation during the time required  
33 for the erection of said buildings and improvements, or for the occupancy  
34 of said grounds during the time required by this act for the purpose of the  
35 exposition, or during the time required for the sale and removal of such  
36 buildings, improvements or fixtures. The said board of commissioners may  
37 reject any or all propositions made, and re-advertise as herein provided,  
38 from time to time, until such proposition or propositions are made as will  
39 fully compensate the State for such property. And said officials, or a  
40 majority of them, are authorized to make and execute all such bills of sale  
41 or conveyances as may be necessary to transfer the title of such buildings,  
42 improvements and fixtures of whatever kind to the purchasers thereof, and  
43 to make all needful rules and regulations for advertising and disposing of  
44 the same.

4  
And that the sixth amendment, as follows, to-wit:

6. Amend line 1 of section 7 of the printed bill by striking out the words and figures "one million dollars (\$1,000,000)" and inserting in place thereof the words and figures "seven hundred and fifty thousand dollars (\$750,000),

Be amended by striking out the words and figures "seven hundred and fifty thousand dollars (\$750,000)" and inserting in lieu thereof the words and figures "eight hundred thousand dollars (\$800,000).

CHAS. E. FULLER,

H. H. THOMAS,

A. J. REAVILL,

Committee of the Senate.

M. MCINERNEY,

WILLIAM W. WEEDON,

Committee of the House,

The undersigned begs to respectfully dissent and non-concur in the above report as to the sixth amendment.

EDWARD L. MERRITT.

**37th Assem. CONFERENCE COMMITTEE June 1891**  
**AMENDMENT TO SENATE BILL No. 374.**

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Adopted by the Senate, June 11, 1891.

Amendment to Senate Bill No. 374, as recommended by Committee on Conference.

Amend the sixth House amendment by striking out the words and figures seven hundred and fifty thousand dollars (\$750,000) and inserting in lieu thereof the words and figures eight hundred thousand dollars (\$800,000.)

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1. Introduced by Mr. Berry, May 1, 1891, and ordered to first reading.
  2. First reading May 1, 1891, and ordered to second reading without reference.
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## A BILL

For an act to amend section 11 of an act entitled "An act concerning circuit courts and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, as amended by an act approved June 26, 1885, and in force July 1, 1885, entitled "An act to amend sections 3, 5, 8, 11 and 14 of an act entitled 'An act concerning circuit courts and fix time of holding same in the several counties in the in the State of Illinois, exclusive of Cook county,'" approved May 24, 1879, in force July 1, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That section 11 of an act entitled "An act concern-  
3 ing circuit courts and to fix the time of holding the same in the several  
4 counties in the judicial circuits in the State of Illinois, exclusive of the  
5 county of Cook," approved May 24, 1879, in force July 1, 1879, as amended  
6 by an act approved June 26, 1885, and in force July 1, 1885, entitled "An act  
7 to amend sections 3, 5, 8, 11 and 14 of an act entitled 'An act concerning  
8 circuit courts and to fix the time of holding the same in the several counties  
9 in the judicial circuits in the State of Illinois, exclusive of the county of  
10 Cook,'" approved May 24, 1879, in force July 1, 1879, be amended so as to  
11 read as follows:

Section 11. Tenth Circuit: In the county of Rock Island on the first

2 Mondays of January, May and September; in the county of Henry on the  
3 second Mondays of February, June and October; in the county of Mercer  
4 on the last Mondays of February, June and October; in the county of Knox  
5 on the first Mondays of February and June and the third Monday in Octo-  
6 ber; in the county of Warren on the first Mondays of January and May  
7 and third Monday of September; in the county of Henderson on the first  
8 Monday of March and the fourth Monday of August: *Provided*, that at the  
9 June term in Mercer county shall have no jury summoned unless the same  
10 is done on the written order of the judge.

1. Introduced by Mr. Bass May 1, 1891, and ordered to first reading.
2. First reading May 1, 1891, and referred to Committee on Municipalities.
3. Reported back May 1, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend sections 55 and 63 of article 9, of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended by an act entitled, "An act to amend article 9 of an act entitled 'An act to provide for the incorporation of cities and villages,'" approved April 10, 1872, in force July 1, 1872, "by adding thereto the following sections," approved and in force April 29, 1887.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That sections 55 and 63 of article 9 of an act en-  
3 titled "An act to provide for the incorporation of cities and villages," ap-  
4 proved April 10, 1872, as amended by an act entitled "An act to amend ar-  
5 ticle 9 of an act entitled 'An act to provide for the incorporation of cities  
6 and villages,'" approved April 10, 1872, and in force July 1, 1872, "by adding  
7 thereto the following sections," approved and in force April 29, 1887, be  
8 amended so as to read as follows:

Section 55. That the amount of any special assessment for any local im-  
2 provement in any city, incorporated town or village, may be divided into  
3 installments, when so provided for by the ordinance providing for the said  
4 improvement, the first of which shall not exceed the sum of twenty-five per  
5 cent. of the total of said assessment, and which shall be due and payable

6 from and after confirmation of said assessment. The remaining portion of  
 7 said assessment, after deducting the said first installment, shall be divided  
 8 into four equal annual installments, which said installments shall be pay-  
 9 able annually thereafter, and collected in the same manner that other as-  
 10 sessments are now collected. And the annual interest, herein provided for,  
 11 on all of said installments which may at any time remain unpaid, shall  
 12 also be payable annually thereafter and collected in the same manner that  
 13 other assessments are now collected. Each of said four last named install-  
 14 ments shall bear interest at the rate of six per cent. per annum, payable  
 15 annually, from and after the first day of July next succeeding the confir-  
 16 mation of said assessment: *Provided*, that when said confirmation shall not  
 17 be had before the first day of March in any year, that said four last named  
 18 installments shall not bear interest until the first day of July in the follow-  
 19 ing year after the said confirmation: *Provided*, that in cities containing a  
 20 population of fifty thousand or more this and the following sections shall  
 21 not apply except in cases where any such special assessments shall exceed  
 22 in the aggregate the sum of fifteen thousand dollars.

Section 63. Payment for any improvement done or performed under the  
 2 provisions of this act shall be made in the following manner: From the  
 3 amount of the first payment when it shall be collected shall first be paid  
 4 all the costs of making the said assessment, including court costs. The re-  
 5 mainder of said payment shall then be paid to the person or persons en-  
 6 titled thereto on the contract for said work. The amount remaining due  
 7 upon the contract for said improvement shall then be divided into four  
 8 equal parts, and the authorities of any city, incorporated town or village,  
 9 shall issue a voucher to the person or persons entitled thereto for each part,  
 10 payable in the same order and manner that the installments are payable,  
 11 and said vouchers shall bear the same rate of interest per annum that the

12 said installments bear, which interest shall be paid on the first day of July  
 13 annually to the persons holding such voucher.

14 Said vouchers shall be made payable to the order of the person or per-  
 15 sons entitled thereto, and state the improvement and the installment for  
 16 which they are issued.

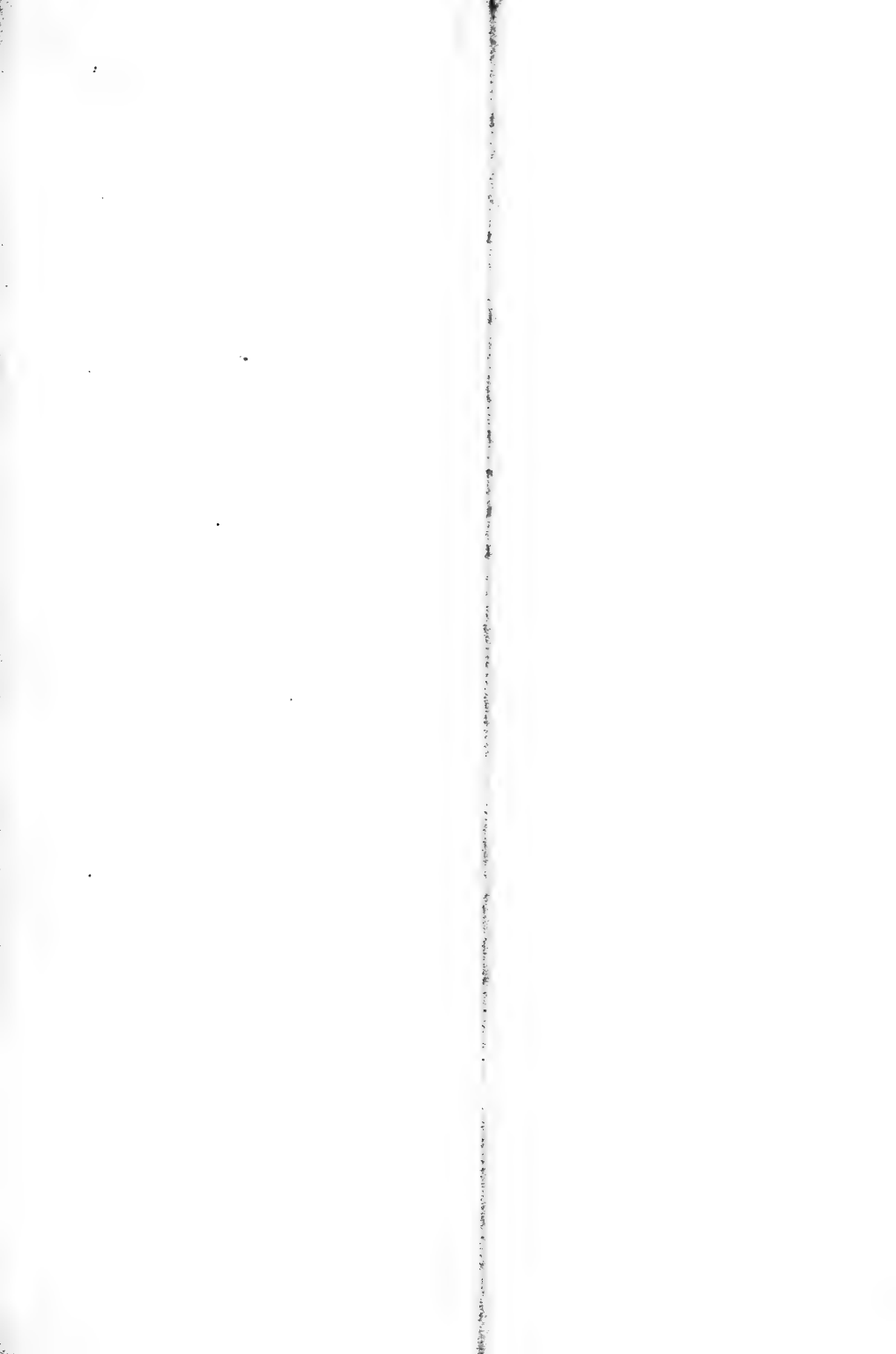
17 They shall also contain the following: In consideration of the issuing of  
 18 this voucher I hereby for..... sel....., heirs, executors, ad-  
 19 ministrators and assigns, accept the same in full payment of the amount  
 20 herein stated, and relinquish any and all claims or liens I have against the  
 21 (city, incorporated town, or village) of ..... for the work men-  
 22 tioned herein, or for the payment of this voucher, except from the collec-  
 23 tion of the installment herein named.

4

.....

25

(Signature of person receiving the same.)



1. Introduced by Mr. Bass, May 1, 1891, and ordered to first reading.
2. First reading May 1, 1891, and referred to Committee on Municipalities.
3. Reported back May 1, 1891, passage recommended and ordered to second reading.
4. Second reading May 15, 1891, amended and ordered to third reading.

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## A BILL

For an act to amend sections 55 and 68 of article 9, of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended by an act entitled "An act to amend article 9 of an act entitled 'An act to provide for the incorporation of cities and villages,'" approved April 10, 1872, in force July 1, 1872, "by adding thereto the following sections," approved and in force April 29, 1887.

-11

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections 55 and 68 of article 9 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended by an act entitled "An act to amend article 9 of an act entitled 'An act to provide for the incorporation of cities and villages,'" approved April 10, 1872, and in force July 1, 1872, "by adding thereto the following sections," approved and in force April 29, 1887, be amended so as to read as follows:

Section 55. That the amount of any special assessment for any local improvement in any city, incorporated town or village, may be divided into installments, when so provided for by the ordinance providing for the said improvement, the first of which shall not exceed the sum of twenty-five per

5 cent. of the total of said assessment, and which shall be due and payable  
6 from and after confirmation of said assessment. The remaining portion of  
7 said assessment, after deducting the said first installment, shall be divided  
8 into four equal annual installments, which said installments shall be pay-  
9 able annually thereafter, and collected in the same manner that other as-  
10 sessments are now collected. And the annual interest, herein provided for,  
11 on all of said installments which ~~had~~ at any time remain unpaid, shall  
12 also be payable annually thereafter and collected in the same manner that  
13 other assessments are now collected. Each of said four last named install-  
14 ments shall bear interest at the rate of six per cent. per annum, payable in  
15 each year, from and after the first day of July next succeeding the confir-  
16 mation of said assessment, when such confirmation shall be had between  
17 the first day of November and the first day of March; and when such con-  
18 firmation is had between the first day of March and the first day of July,  
19 then each of the said four last named installments shall bear interest at  
20 the rate of six per cent. per annum in each year, from and after the first  
21 day of October next succeeding such confirmation of assessment; and when  
22 such confirmation is had between the first day of July and the first day of  
23 November, then each of said four last named installments shall bear interest  
24 at the rate of six per cent. per annum, from and after the first day of Janu-  
25 ary next succeeding such confirmation of assessment. Such interest shall  
26 be payable in each year at the time when the installments are payable;  
27 *Provided*, that when said confirmation shall not be had before the first day  
28 of March in any year, that said four last named installments shall not bear in-  
29 terest until the first day of July in the following year after the said confirmation;  
30 *Provided*, that in cities containing a population of fifty thousand or more  
31 this and the following sections shall not apply except in cases where any  
32 such special assessments shall exceed the aggregate the sum of fifteen  
33 thousand dollars.

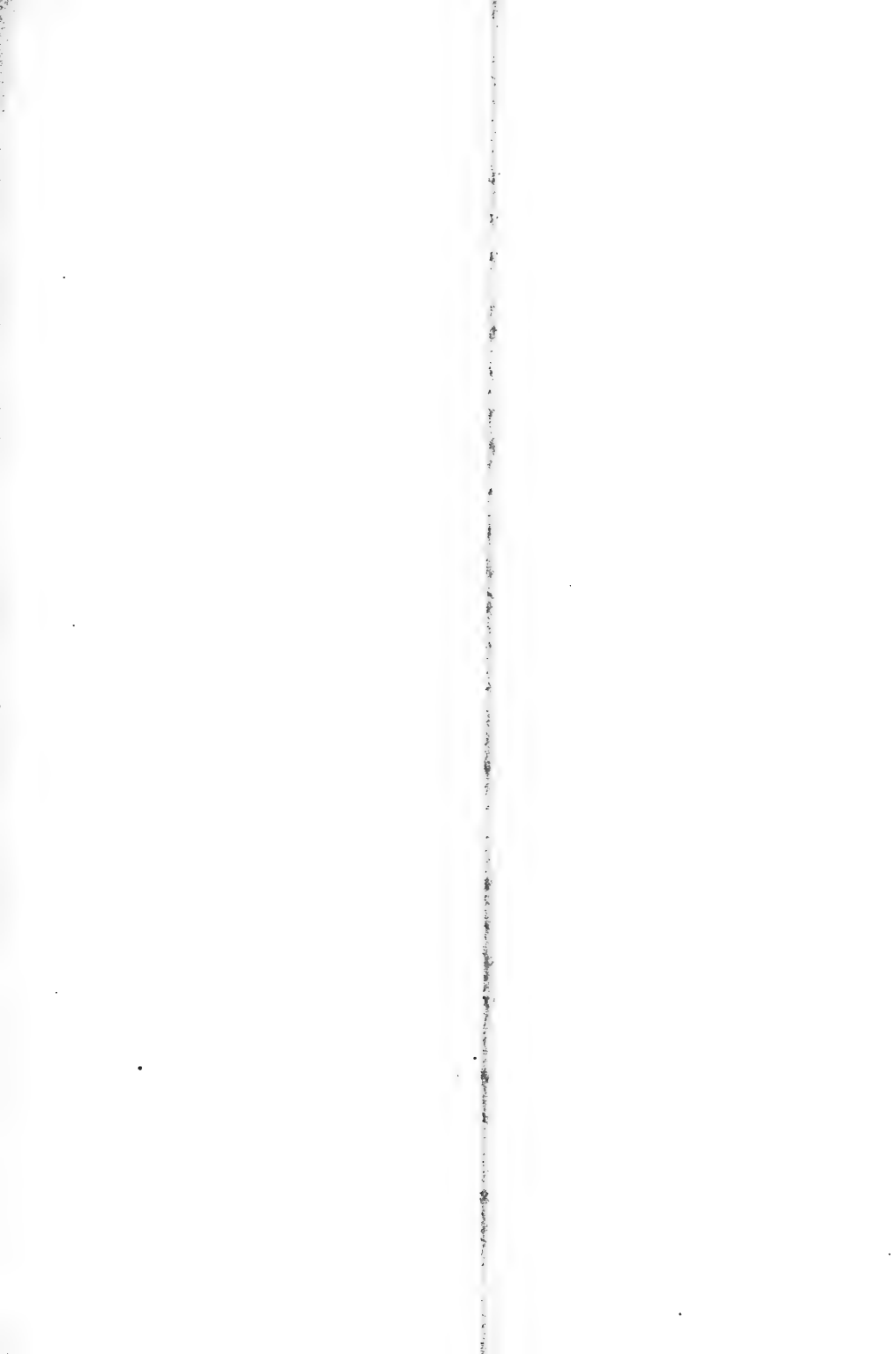


Section 63. Payment for any improvement done or performed under the provisions of this act shall be made in the following manner: From the amount of the first payment when it shall be collected shall first be paid all the cost of making the said assessment, including court costs. The remainder of said payment shall then be paid to the person or persons entitled thereto on the contract for said work. The amount remaining due upon the contract for said improvement shall then be divided into four equal parts, and the authorities of any city, incorporated town or village shall issue a voucher to the person or persons entitled thereto for each part, payable in the same order and manner that the installments are payable, and said vouchers shall bear the same rate of interest per annum that the said installments bear, which interest shall be paid on the first day of July, October or January, annually after their date, according to the date of the confirmation of the respective assessments, to the persons holding such voucher.

Said vouchers shall be made payable to the order of the person or persons entitled thereto, and state the improvement and the installment for which they are issued.

They shall also contain the following: In consideration of the issuing of this voucher I hereby for....., heirs, executors administrators and assigns, accept the same in full payment of the amount herein stated, and relinquish any and all claims or liens I have against the (city, incorporated town, or village) of ..... for the work mentioned herein, or for the payment of this voucher, except from the collection of the installment herein named.

.....  
(Signature of person receiving the same.)



1. Introduced by Committee on Railroads May 5, 1891, and ordered to first reading.
2. First reading May 5, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section one of "An act in relation to the crossing of one railroad by another, and to prevent danger to life and property from grade crossings," approved May 27, 1889, in force July 1, 1889.

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**Section 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly,* That section one of "An act in relation to the crossing of one railroad by another, and to prevent danger to life and property from grade crossings," approved May 27, 1889, be and the same is hereby amended to read as follows:

Section 1. That hereafter any railroad company desiring to cross with its tracks the main line of another railroad company shall construct the crossing in such place and in such manner as will not unnecessarily impede or endanger the travel or transportation upon the railway so crossed. If in any case objection be made to the place or mode of crossing proposed by the company desiring the same, either party may apply to the Board of Railroad and Warehouse Commissioners, and it shall be their duty to view the ground and give all parties interested an opportunity to be heard. After full investigation, and with due regard to safety of life and property, said board shall give a decision prescribing the place where and the manner in which said crossing shall be made, but said board, in every case where the

12 same is practicable, shall order the crossing to be made either overhead or  
13 underneath, and shall only permit crossings to be made at grade in those  
14 cases where a different kind is not feasible when viewed in the light of all  
15 the facts and circumstances of the case; and every grade crossing which  
16 may hereafter be authorized under the provisions of this act  
17 shall be protected by such interlocking devices, or other appli-  
18 ances, as the Railroad and Warehouse Commission shall prescribe and ap-  
19 prove, the cost of putting in and maintaining the same to be paid by the  
20 company seeking the crossing. In all cases the compensation to be paid for  
21 property actually required for the crossing and all damages resulting there-  
22 from shall be determined in the manner provided by law in case the par-  
23 ties fail to agree.

1. Introduced by Committee on Railroads, May 5, 1891, and ordered to first reading.
2. First reading May 5, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to regulate the sale of railroad tickets and protect the purchasers thereof.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That it shall be the duty of each and every railroad company doing business in this State in the transportation of passengers to file with the Secretary of State a written application, under the seal of such railroad company and signed by some officer thereof, for the issuance of a license to any person specified in such application, as the agent of such railroad company, authorizing such person to sell tickets for the transportation of passengers over said railroad and connecting lines. At the time of filing such application such railroad company shall pay to said Secretary of State the sum of one dollar for each license so applied for, and thereupon it shall be the duty of said Secretary of State to issue to the person mentioned in said application a certificate, under the hand and seal of said Secretary of State, authorizing such persons so designated as agents to sell tickets as aforesaid.

§ 2. That it shall not be lawful for any person, firm, company or corpo-

2 ration not possessed of such certificate so evidenced as aforesaid, to sell,  
3 barter or transfer, for any consideration whatever, the whole or part of any  
4 ticket or tickets, passes or other evidence of the holder's right to travel on  
5 any railroad, whether the same be situated, operated or owned wholly  
6 within or partly within and partly without the State.

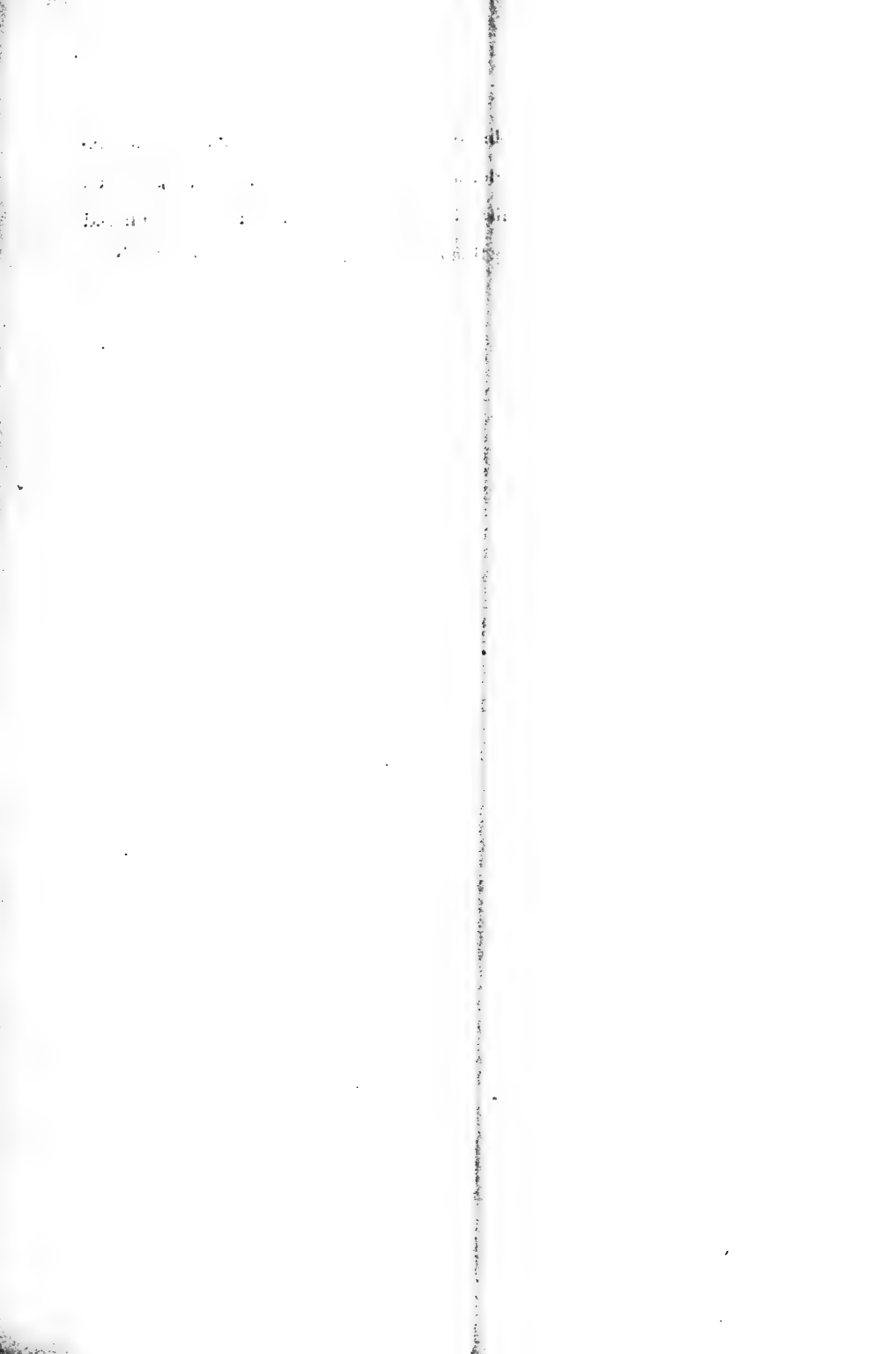
§ 3. That any person or persons, firm, company or corporation violating  
2 the provisions of the second section of this act shall be deemed guilty of a  
3 misdemeanor, and upon conviction thereof shall be punished by a fine not  
4 less than one hundred dollars (\$100) nor more than one thousand dollars  
5 (\$1,000), in the discretion of the court.

§ 4. That it shall be the duty of every agent who shall be authorized to  
2 sell tickets, or other evidence of the holder's right to travel, to exhibit to  
3 any person desiring to purchase a ticket, or any officer of the law, upon de-  
4 mand, the certificate specified in section one hereof, and to keep such cer-  
5 tificate posted in a conspicuous place in his office, for the inspection of the  
6 public.

§ 5. That it shall be the duty of every railroad company doing business  
2 in this State to provide for the redemption of the whole or any part, or  
3 coupons of any ticket sold by it, as the purchaser thereof has not used, and  
4 does not desire to use, at a rate which shall be equal to the difference be-  
5 tween the price paid for the whole ticket and the price of a ticket between  
6 the points for which the proportion of said ticket was actually used: *Pro-*  
7 *vided, however,* that no railroad company shall be required to redeem any  
8 part of a ticket which by its terms requires the holder thereof to make his  
9 journey continuous between the points specified on such ticket, whenever  
10 any part of such ticket has been used.

§ 6. The sale, by any person, firm, company or corporation of the unused  
2 part or portion of any ticket, other than by the presentation thereof  
3 for redemption, as provided in section five of this act, is hereby declared to

4 be unlawful, and is hereby prohibited, and any person violating the pro-  
5 visions of this section shall be deemed guilty of a misdemeanor, and upon  
6 conviction thereof shall be punished by a fine not less than one hundred  
7 dollars (\$100) nor more than one thousand dollars (\$1,000), in the discretion  
8 of the court.





- 
1. Introduced by Committee on Railroads May 5, 1891, and ordered to first reading.
  2. First reading May 5, 1891 and ordered to second reading.

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## A BILL

For an act defining the duties of persons and corporations owning, operating or controlling connecting or transfer railway tracks.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois represented in the General Assembly.* That whenever any person or corporation has constructed or may hereafter construct, or is operating, under powers derived from any special act or general law of the State of Illinois, a railway or railway tracks which connects or connect with other lines of railway, or which, by means of such connecting or transfer tracks, connects or connect other lines of railway, it shall be the duty of said person or corporation to transport, or to allow to be transported, over any and all such connecting or transfer railway tracks, all kinds of freight, including cattle and live stock, consigned to or from any point on the line or lines of such connecting or transfer railway or railways, and to or from any point reached by means of such connecting or transfer railway or railways.

The Railroad and Warehouse Commission shall have the power, in the manner now provided by law in other cases, to fix reasonable maximum rates for service so performed, and it shall be the duty of said Railroad and Warehouse Commission to enforce this act.

12. The neglect or failure of any corporation to comply with the provisions of this act shall work a forfeiture of all the rights, privileges and immunities conferred upon any such corporation in its articles of incorporation.

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1. Introduced by Mr. Secrest, May 6, 1891, and ordered to first reading.
2. First reading May 6, 1891, passage recommended, and ordered to second reading without reference.

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## A BILL

For an act to amend section forty-nine (49) of article three (3) of an act entitled  
"An act to establish and maintain a system of free schools," approved  
May 21, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That section forty-nine of article three (3) of an  
3 act entitled "An act to establish and maintain a system of free schools," ap-  
4 proved May 21, 1889, be amended so as to read as follows:

Section 49. In school districts having a population of not less than one  
2 thousand inhabitants, whether acting under the general school law or  
3 organized and acting under a special charter, desiring a change of boundaries  
4 the question of such change may be submitted to the trustees by a vote of  
5 the people, instead of by the petition provided for in the preceding section,  
6 and when petitioned so to do by twenty-five legal voters of the district, the  
7 school board of the district shall submit the question of the change desired  
8 to the voters of said district, at a special election called for that purpose,  
9 and held at least thirty days prior to the regular April meeting of trustees.  
10 If a majority of the votes cast at any such election shall be in favor of the  
11 change proposed, then, due return of the election having been made to the

12 township treasurer, the township trustees shall consider and take action the  
13 same as if petitioned therefor by a majority of the legal voters of such dis-  
14 trict: *Provided*, that no question of change of boundaries shall be submitted  
15 to a vote of the school district more than once in any one year.

1. Introduced by Mr. Noonan, May 6, 1891, and ordered to first reading.
  2. First reading May 6, 1891, passage recommended, and ordered to second reading, without reference.
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## A BILL

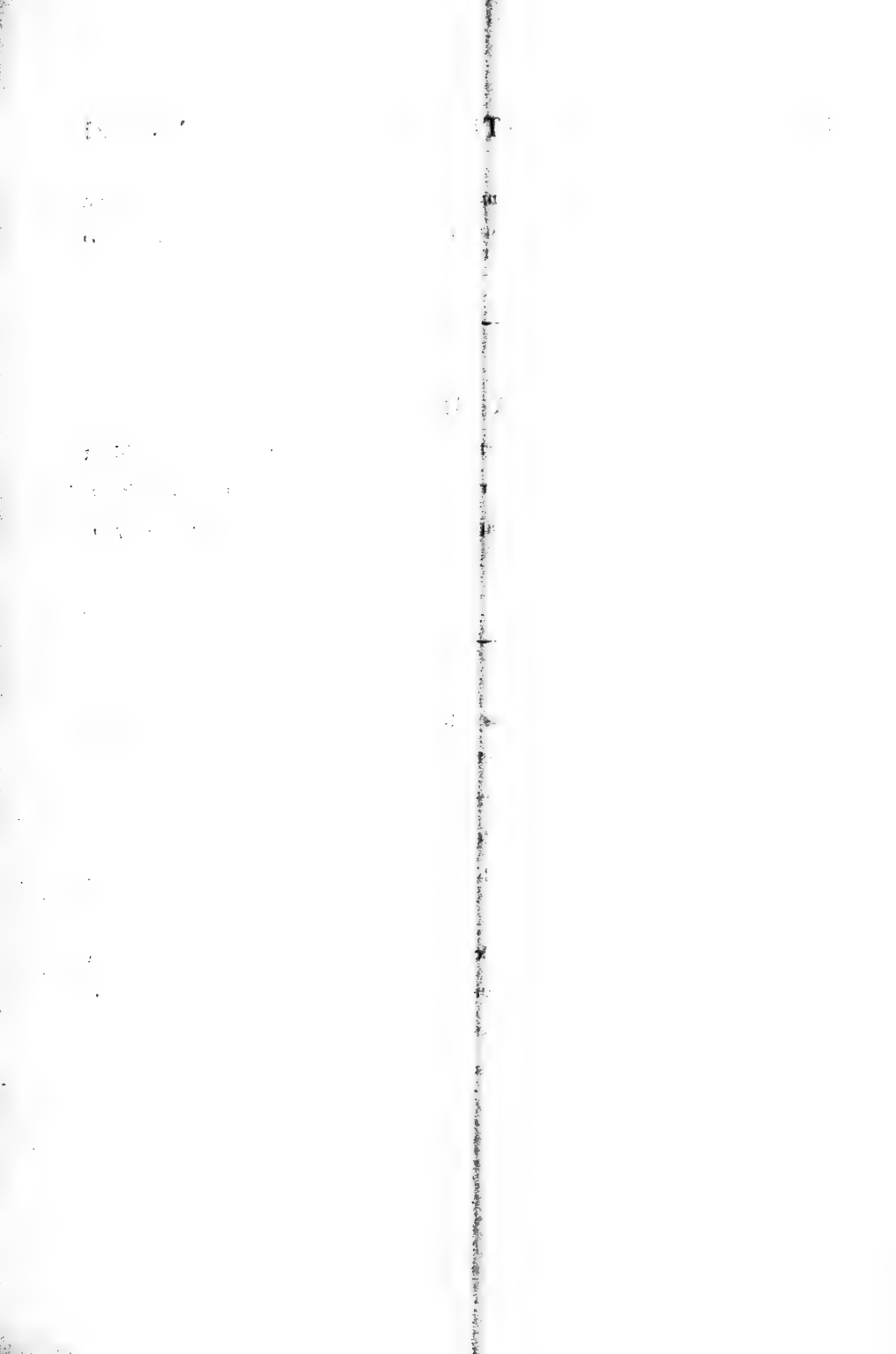
For an act to amend section 2 of article 7 of "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 2 of article 7 of an act entitled "An act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, be and the same is hereby amended to read as follows:

Section 2. All judges and clerks of election and official ticket holders under this act shall be allowed and paid at the rate of five dollars per day.

§ 2. Whereas, an emergency exists, therefore this act shall take effect and be in force from and after its passage.



1. Introduced by Mr. W. F. Crawford May 6, 1891, and ordered to first reading.
2. First reading May 6, 1891, and referred to Committee on State Charitable Institutions.
3. Reported back May 14, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to enable cities to establish and maintain public hospitals.

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**SENATOR 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the city council of each incorporated city of this State having a population of less than 100,000 inhabitants shall have the power to establish and maintain a non-sectarian public hospital for the use and benefit of the inhabitants of such city, and any persons falling sick, or being injured or maimed within its limits, and may levy a tax of not to exceed two mills on the dollar annually, on all the taxable property of the city, such tax to be levied and collected in like manner with the general taxes of the said city, and to be known as the "hospital fund."

§ 2. When one hundred legal voters of any such incorporated city shall present a petition to the city council of such city, asking that an annual tax may be levied for the establishment and maintenance of a public hospital in such city, and shall specify in their petition a rate of taxation not to exceed two mills on the dollar, such city council shall instruct the city clerk to and such city clerk shall, in the next legal notice of the regular

7 annual election in such city, give notice that at such election every elector  
 8 may vote "for a ..... mill tax for a public hospital," or "against a .....  
 9 mill tax for a public hospital," specifying in such notice the rate of taxa-  
 10 tion mentioned in said petition; and if the majority of all the votes cast  
 11 in such city shall be "for the tax for a public hospital," the tax specified  
 12 in such notice shall be levied and collected in like manner with other gen-  
 13 eral taxes of said city, and shall be known as the "hospital fund," and  
 14 thereafter the city council of such city shall include and appropriate in the  
 15 annual appropriation bill such sum or sums of money as may be deemed  
 16 necessary to defray all necessary expenses and liabilities of such hospital.

§ 3. When any such city council shall have decided to establish and  
 2 maintain a public hospital under this act, the mayor of such city shall,  
 3 with the approval of the city council, proceed to appoint a board of three  
 4 directors, one of whom may be a woman, for the same, chosen from the  
 5 citizens at large, with reference to their fitness for such office.

§ 4. Said directors shall hold office one-third for one year, one-third for  
 2 two years and one-third for three years from the first of July following  
 3 their appointment, and at their first regular meeting shall cast lots for  
 4 the respective terms; and annually thereafter the mayor shall, before the  
 5 first of July each year, appoint as before one director to take the place of  
 6 the retiring director, who shall hold office for three years, and until his  
 7 successor is appointed. The mayor may, by and with the consent of the  
 8 city council, remove any director for misconduct or neglect of duty.

§ 5. Vacancies in the board of directors occasioned by removals, resigna-  
 2 tion or otherwise, shall be reported to the city council and be filled in like  
 3 manner as original appointments, and no director shall receive compensa-  
 4 tion as such and shall not be interested, either directly or indirectly, in  
 5 the purchase or sale of any supplies for said hospital.

§ 6. Said directors shall, immediately after appointment, meet and organ-



2 ize by the election of one of their number president, and one as secretary,  
 3 and by the election of such other officer as they may deem necessary. They  
 4 shall make and adopt such by-laws, rules and regulations for their own  
 5 guidance and for the government of the hospital as may be expedient, not  
 6 inconsistent with this act and the ordinances of said city. They shall have  
 7 the exclusive control of the expenditure of all the moneys collected to the  
 8 credit of the "hospital fund," and of the construction of any hospital build-  
 9 ing, and of the supervision, care and custody of the grounds, rooms or  
 10 buildings constructed, leased or set apart for that purpose: *Provided*, that  
 11 all moneys received for such hospital shall be deposited in the treasury of  
 12 said city to the credit of the "hospital fund," and drawn upon by the  
 13 proper officers of said city upon the properly authenticated vouchers of the  
 14 hospital board. Said board shall have power to purchase or lease ground,  
 15 to occupy, lease or erect an appropriate building or buildings for the use of  
 16 said hospital; shall have power to appoint a suitable superintendent or  
 17 matron, or both, and necessary assistants, and fix their compensation, and  
 18 shall also have power to remove such appointees; and shall, in general,  
 19 carry out the spirit and intent of this act in establishing and maintaining  
 20 a public hospital, and one or all of said directors shall visit and examine  
 21 said hospital at least twice each month and make monthly reports of its  
 22 condition to the city council.

§ 7. Every hospital established under this act shall be for the benefit of  
 2 the inhabitants of such city, and any person falling sick or being injured  
 3 or maimed within its limits, but every such inhabitant or person who is not  
 4 a pauper shall pay to such board or such officer as it shall designate for  
 5 such city, such reasonable compensation for occupancy, nursing, care,  
 6 medicines or attendance, according to the rules and regulations prescribed  
 7 by said board; such hospital always being subject to such reasonable rules  
 8 and regulations as said board may adopt in order to render the use of said

9 hospital of the greatest benefit to the greatest number; and said board may  
 10 exclude from the use of said hospital any and all inhabitants and persons  
 11 who shall willfully violate such rules and regulations. And said board may  
 12 extend the privileges and use of such hospital to persons residing outside  
 13 of such city in this State, upon such terms and conditions as said board  
 14 may from time to time by its rules and regulations prescribe.

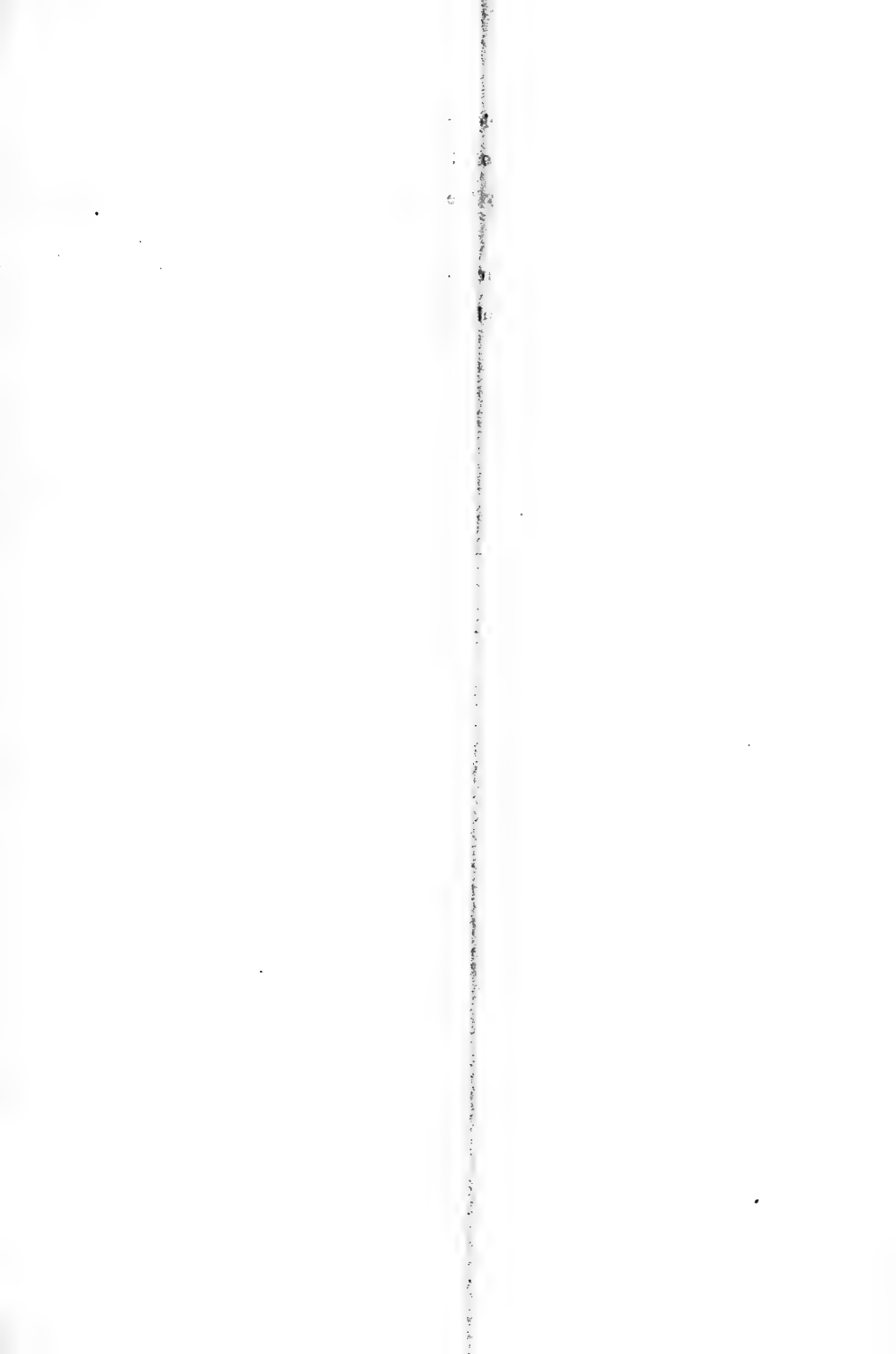
§ 8. Said board of directors shall in the name of such city, receive and  
 2 collect from such inhabitant or person the compensation aforesaid, and  
 3 shall as often as once in each month pay over to the city treasurer all com-  
 4 pensation received or collected during the month, and take the receipt of  
 5 such treasurer therefor; and shall also at the regular monthly meeting of  
 6 the city council report to such city council the names of the persons or in-  
 7 habitants from whom such compensation has been received or collected and  
 8 the amount so received or collected from each and the date when so re-  
 9 ceived or collected. And said board of directors shall make, on or before  
 10 the second Monday in June, an annual report to the city council, stating  
 11 the condition of their trust on the first day of June of that year, the vari-  
 12 ous sums of money received from the "hospital fund" and from other  
 13 sources, and how such money has been expended and for what purposes;  
 14 the number of patients and such other statistics, information and suggestions  
 15 as they may deem of general interest.

§ 9. When such hospital is so established, the physicians, nurses, attend-  
 2 ants, the persons sick therein and all persons approaching or coming within  
 3 the limits of the same, and all furniture and other articles used or brought  
 4 there shall be subject to such rules and regulations as said board may  
 5 prescribe.

§ 10. Any person desiring to make donations of money, personal property  
 2 or real estate for the benefit of such hospital, shall have the right to vest the  
 3 title of the money or real estate or donation in the board of directors

4 created under this act, to be held and controlled by such board, when ac-  
5 cepted, according to the terms of the deed, gift, devise or bequest of such  
6 property; and as to such property the said board shall be held and consid-  
7 ered to be special trustees.

§ 11. All the physicians who are recognized as legal practitioners by the  
2 State Board of Health of Illinois shall have equal privileges in treating  
3 patients in said hospital.



1. Introduced by Mr. Crawford, of Rock Island, May 6, 1891, and ordered to first reading.
  2. First reading May 6, 1891, and referred to Committee on Judiciary.
  3. Reported back May 6, 1891, passage recommended, and ordered to second reading.
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## A BILL

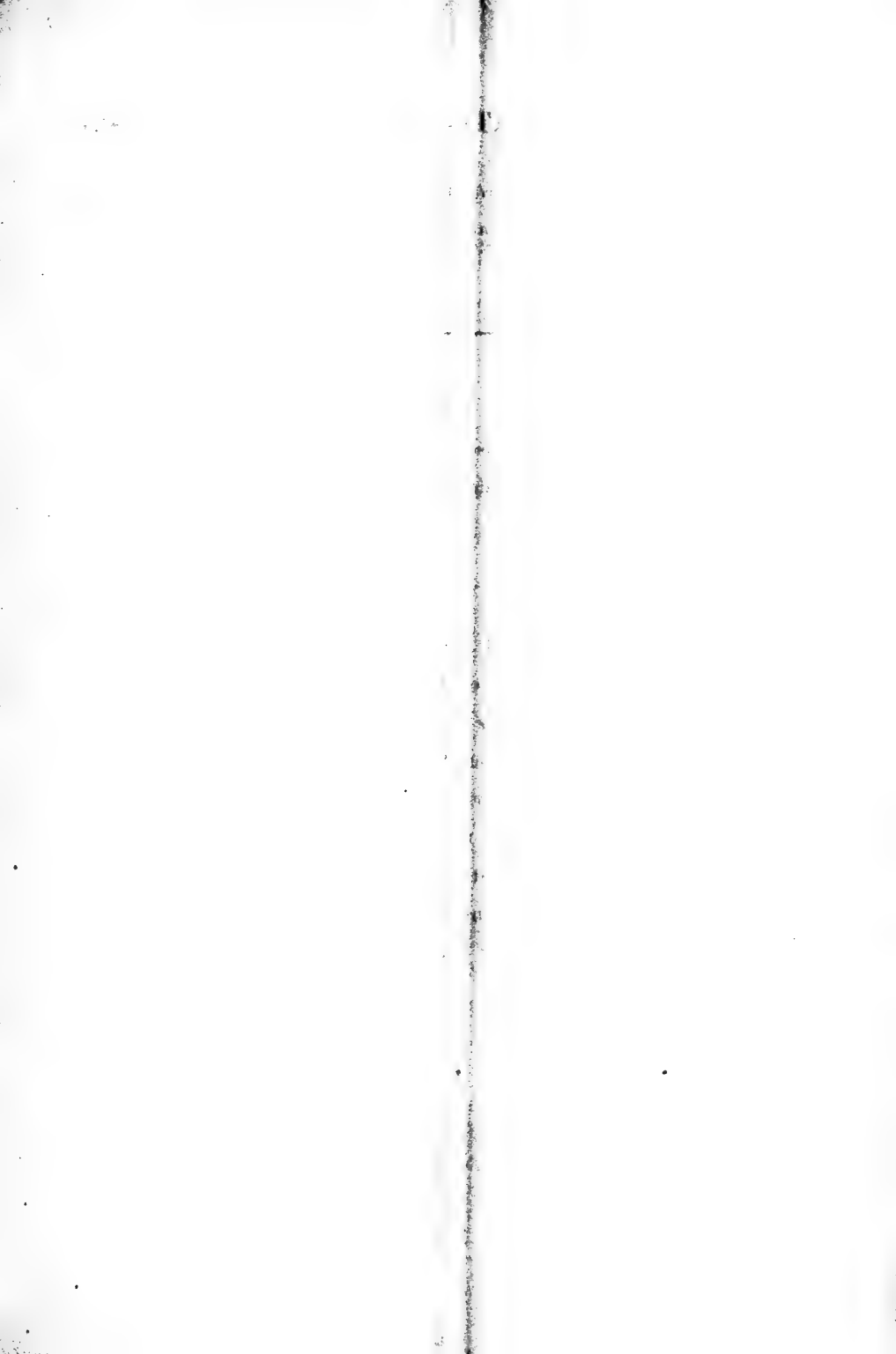
For an act in relation to the purchase of grounds by the United States, in the city of Rock Island, and to cede jurisdiction over and exempt the same from taxation.

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WHEREAS, the United States of America are about to purchase grounds  
2 for a public building in the city of Rock Island, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That there be and hereby is ceded and granted to  
3 the United States of America jurisdiction upon and over all such grounds  
4 so purchased by and conveyed to the United States.

§ 2. All such grounds from and after such purchase and conveyance shall  
2 be exempt from taxation under any law of this State, while the same re-  
3 mains the property of the United States.



1. Introduced by the Committee on Education and Educational Institutions May 7, 1891, and ordered to first reading.
2. First reading May 7, 1891, passage recommended, and ordered to second reading.
3. Second reading May 19, 1891, amended and ordered to a third reading

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## A BILL

For an act to amend section five (5) of article seven (7) and section ten (10) of articlesix (6) of "An act to establish and maintain a system of free schools," approved May 21, 1889, in force July 1, 1889.

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**Enrolled.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section five (5) of article seven (7) and section  
3 ten (10) of article six (6) of "An act to establish and maintain a system of  
4 free schools," approved May 21, 1889, in force July 1, 1889, be and the same  
5 are hereby amended so as to read as follows, to-wit:

Section 5. No teachers shall be entitled to any portion of the common  
2 school or township fund, or other public fund, or be employed to teach any  
3 school under the provisions of this act, who shall not at the time of his em-  
4 ployment have a certificate of qualification obtained under the provisions  
5 of this act from the Superintendent of the State, or boards of education in  
6 cities of 100,000 or more inhabitants, or the county superintendent of the  
7 county in which the school is located, entitling him to teach during the  
8 entire term of his contract.

Section 10. The board of education shall have all the powers of the school directors and in addition thereto and inclusive thereof they shall have the power and it shall be their duty;

First—To establish and support free schools not less than six nor more than ten months in each year.

Second—To repair and improve school houses and furnish them with the necessary fixtures, furniture, apparatus, libraries and fuel.

Third—To examine teachers as supplemental to any other examination, to employ teachers, and to fix the amount of their salaries.

Fourth—To establish schools of different grades, and make regulations for the admission of pupils into the same.

Fifth—To buy or lease sites for school houses, with the necessary grounds: *Provided*, it shall not be lawful for such board of education to purchase or locate a school house site or to purchase, build or move a school house, unless authorized by a majority of all the voters voting at an election called for such purpose in pursuance of a petition signed by not less than five hundred (500) legal voters of such district, or by one-fifth of all the legal voters of such district.

Sixth—To levy a tax annually, upon the taxable property of the district, in the manner provided in Article VIII of this act, for the purpose of supporting and maintaining free schools in accordance with the powers herein conferred: *Provided*, that it shall not be lawful for such board of education to levy a tax to extend schools beyond a period of ten months in each year, except upon petition of a majority of the voters of the district: *And provided, further*, that all taxes shall be levied under the limitations relating to the percentage of the assessment, as provided by section 1 Article VIII of this act.

Seventh—To employ, should they deem it expedient, a competent and discreet person or persons as superintendent or superintendents of schools, and



30 fix and pay a proper salary or salaries therefor, and such superintendent  
31 may be required to act as principal or teacher in such schools.

32 Eighth To lay off and divide the district into sub-districts, and from  
33 time to time, alter the same, create new ones and consolidate them.

34 Ninth To visit all the public schools as often as once a month to enquire  
35 into the progress of scholars and the government of the schools.

36 Tenth To prescribe the method and course of discipline and instruction  
37 in the respective schools, and to see that they are maintained and pursued  
38 in the proper manner.

39 Eleventh To expel any pupil who may be guilty of gross disobedience or  
40 misconduct. No action shall lie against them for such expulsion.

41 Twelfth To dismiss and remove any teacher whenever in their opinion  
42 he or she is not qualified to teach, or whenever, for any cause, the interest  
43 of the school may, in their opinion, require such removal or dismissal.

44 Thirteenth To apportion the scholars to the several schools.

45 Fourteenth To establish and promulgate all such by-laws, rules and  
46 regulations for the government and the establishment and maintenance of a  
47 proper and uniform system of discipline in the several schools, as may in  
48 their opinion be necessary.

49 Fifteenth To take charge of the school houses, furniture, grounds and  
50 other property belonging to the district, and see that the same are kept in  
51 good condition, and not suffered to be unnecessarily injured or deteriorated.

52 Sixteenth To provide fuel and such other necessities for the schools as  
53 in their opinion may be required in the school houses, or other property  
54 belonging to or under the control of the district.

55 Seventeenth To appoint a secretary and provide well bound books at the  
56 expense of the school tax fund, in which shall be kept a faithful record  
57 of all their proceedings.

58 Eighteenth—To annually prepare and publish in some newspaper, or in

59 pamphlet form, a report of the number of pupils instructed in the year pre-  
60 ceding, the several branches of study pursued by them, of the number of  
61 persons between the ages of twelve and twenty-one unable to read and write,  
62 and the receipts and expenditures of each school, specifying the source of  
63 such receipts and the object of such expenditures.

1. Introduced by the Committee on Education and Educational Institutions May 7, 1891, and ordered to first reading.
2. First reading May 7, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section five (5) of article seven (7) and section ten (10) of article six (6) of "An act to establish and maintain a system of free schools," approved May 21, 1889, in force July 1, 1889.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, recommended*

2 *in the General Assembly,* That section five (5) of article seven (7) and section  
3 ten (10) of article six (6) of "An act to establish and maintain a system of  
4 free schools," approved May 21, 1889, in force July 1, 1889, be and the same  
5 are hereby amended so as to read as follows, to-wit:

Section 5. No teachers shall be entitled to any portion of the common  
2 school or township fund, or other public fund, or be employed to teach any  
3 school under the provision of this act, who shall not at the time of his em-  
4 ployment have a certificate of qualification obtained under the provisions  
5 of this act from the Superintendent of the State, or the county superin-  
6 tendent of the county in which the school is located entitling him to teach  
7 during the entire term of his contract.

Section 10. The board of education shall have all the powers of the school  
2 directors and in addition thereto and inclusive thereof they shall have  
3 the power and it shall be their duty:

4 First To establish and support free schools not less than six nor more  
5 than ten months in each year.

6 Second—To repair and improve schools houses and furnish them with the  
7 necessary fixtures, furniture, apparatus, libraries and fuel.

8 Third—To examine teachers as supplemental to any other examination;  
9 to employ teachers, and to fix the amount of their salaries.

10 Fourth—To establish schools of different grades, and make regulations for  
11 the admission of pupils into the same.

12 Fifth—To buy or lease sites for school houses, with the necessary grounds;  
13 *Provided*, it not shall be lawful for such board of education to purchase or locate  
14 a school house site or to purchase, build or move a school house, unless  
15 authorized by a majority of all the voters voting at an election called for  
16 such purpose in pursuance of a petition signed by not less than five hun-  
17 dred (500) legal voters of such district, or by one-fifth of all the legal voters  
18 of such district.

19 Sixth—To levy a tax annually, upon the taxable property of the district,  
20 in the manner provided in Article VIII of this act, for the purpose of  
21 supporting and maintaining free schools in accordance with the powers  
22 herein conferred: *Provided*, that it shall not be lawful for such board of  
23 education to levy a tax to extend schools beyond a period of ten months  
24 in each year, except upon petition of a majority of the voters of the district: *And*  
25 *provided further*, that all taxes shall be levied under the limitations relating  
26 to the percentage of the assessment as provided by Section 1 Article VIII  
27 of this act.

28 Seventh—To employ, should they deem it expedient, a competent and dis-  
29 creet person or persons as superintendent or superintendents of schools, and  
30 fix and pay a proper salary or salaries therefor. Such superintendent may be re-  
31 quired to act as principal or teacher in such schools.

32 Eighth—To lay off and divide the district into sub-districts, and from  
33 time to time, alter the same, create new ones and consolidate them.

34 Ninth—To visit all the public schools as often as once a month to enquire  
35 into the progress of scholars and the government of the schools.

36 Tenth To prescribe the method and course of discipline and instruction  
 37 in the respective schools, and to see that they are maintained and pursued  
 38 in the proper manner.

39 Eleventh To expel any pupil who may be guilty of gross disobedience or  
 40 misconduct. No action shall lie against them for such expulsion.

41 Twelfth To dismiss and remove any teacher whenever in their opinion  
 42 he or she is not qualified to teach, or whenever, from any cause, the interest  
 43 of the school may, in their opinion, require such removal or dismissal.

44 Thirteenth To apportion the scholars to the several schools.

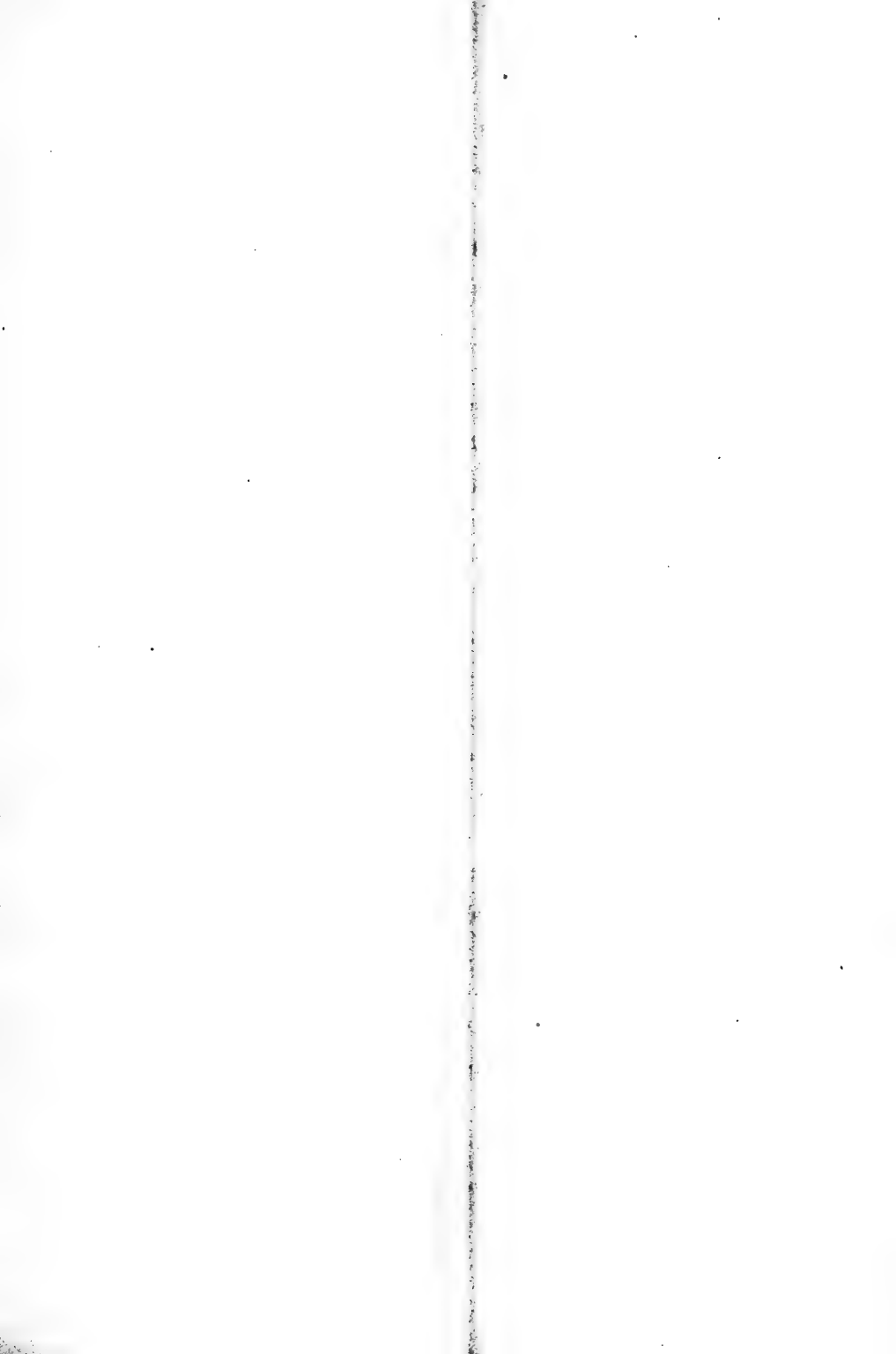
45 Fourteenth To establish and promulgate all such by-laws, rules and  
 46 regulations for the government and the establishment and maintenance of a  
 47 proper and uniform system of discipline in the several schools, as may in  
 48 their opinion be necessary.

49 Fifteenth To take charge of the school houses, furniture, grounds and  
 50 other property belonging to the district, and see that the same are kept in  
 51 good condition, and not suffered to be unnecessarily injured or deteriorated.

52 Sixteenth To provide fuel and such other necessities for the schools as,  
 53 in their opinion, may be required in the school houses, or other property  
 54 belonging to or under the control of the district.

55 Seventeenth To appoint a secretary and provide well bound books at the  
 56 expense of the school tax fund, in which shall be kept a faithful record  
 57 of all their proceedings.

58 Eighteenth To annually prepare and publish in some newspaper, or in  
 59 pamphlet form, a report of the number of pupils instructed in the year pre-  
 60 ceding, the several branches of study pursued by them, of the number of  
 61 persons between the ages of twelve and twenty-one unable to read and write,  
 62 and the receipts and expenditures of each school, specifying the source of  
 63 such receipts and the object of such expenditures.



1. Introduced by Committee on Judicial Department and Apportionment May 7, 1891, and ordered to first reading.
2. First reading May 7, 1891, passage recommended, and ordered to second reading.

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### A BILL

For an act to amend an act entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, and in force July 1, 1874, and to repeal certain sections thereof.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections 127 and 128 of division 1 and section 1 of division 7 and section 2 of division 8 of chapter 38 of the revised statutes of the State of Illinois, entitled "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, and in force July 1, 1874, be so amended so as to read as follows:

Section 127, Division 1. Whoever owns and operates a common gaming house in any building, booth, yard, garden, boat or float by him or his agent for that purpose used and occupied, and procures or permits any persons to come together and frequent any such place to play for money or other valuable thing at any game, and keeps, or suffers to be kept in any such place, any tables or other apparatus for the purpose of playing at any game for money or other valuable thing, or knowingly lets to any person any such place so used for such purpose, shall, upon conviction for the first offense, forfeit and pay not less than \$250 nor more than \$500, and for the second offense shall forfeit and pay not less than \$500 nor more than \$1,000,

11 and for the third offense shall forfeit and pay not less than \$1,000 nor more  
 12 than \$3,000; and if it shall appear to the court upon conviction of any per-  
 13 son or persons under this section, that the person or persons so convicted  
 14 at the time of such conviction, own or possess any gambling tools, imple-  
 15 ments and devices or other personal property used or kept and provided to  
 16 be used for gaming, the court may summarily order that all such property,  
 17 tools, implements and devices be forthwith seized by the sheriff and de-  
 18 stroyed, and it shall be unlawful to hereafter seize or destroy in this State  
 19 any such property, tools, implements or devices except under the provisions  
 20 of this section. All prosecutions under this section and all prosecutions in  
 21 this State for betting, gaming or for keeping or conducting a gaming house  
 22 or rooms, and all prosecutions for any and all such acts as constitute, or tend  
 23 to establish when proven, the offense of gaming or keeping a gaming house,  
 24 shall be commenced and prosecuted by indictment only, and any and all  
 25 statutes, acts and parts of statutes or acts which in any way conflict with  
 26 the provisions of this section, as hereby amended, are hereby repealed.

Section 2. Section 128, Division 1. Every tavern keeper or common  
 2 victualer, keeping or suffering to be kept in any tavern occupied by him,  
 3 any implements such as are used in gaming, in order that the same may be  
 4 for hire, gain or reward, be used for the purpose of amusement, who suffers  
 5 any implement of that kind to be used upon any part of his premises for  
 6 the purpose of gaming for money or other property, or who suffers any per-  
 7 son to play at an unlawful game or sport therein, shall for the first offense  
 8 be fined not less than \$250 nor more than \$500, and for the second offense  
 9 shall be fined not less than \$500 nor more than \$1,000, and for the third  
 10 offense shall be fined not less than \$1,000 nor more than \$3,000, and in either  
 11 case he shall forfeit his license and shall not again be licensed as a tavern  
 12 keeper for one year from his conviction.

Section 3. Section 1, Division 7. For the apprehension of persons charged



2 with offenses, except such as are cognizable exclusively by justices of the  
 3 peace, any judge of a court of record, in vacation as well as in term time,  
 4 or any justice of the peace, is authorized to issue process to carry into effect  
 5 the full provisions of this act, except in cases where it is provided by statute  
 6 that prosecutions shall be commenced and prosecuted only by indictment.

Section 4. Section 2, Division 8. Any such judge or justice of the peace  
 2 may, on like complaint made on oath, issue search warrants, when satisfied  
 3 that there is reasonable cause, in the following cases to-wit:

4 Counterfeit Money 1. To search for and seize counterfeit or spurious coin,  
 5 forged bank notes and other forged instruments, or tools, machinery or ma-  
 6 terials prepared or provided for making either of them.

7 Obscene Books 2. To search for and seize books, pamphlets, ballads,  
 8 printed papers or other things containing obscene language, or obscene prints,  
 9 pictures, figures or descriptions, manifestly tending to corrupt the morals of  
 10 youth, and intended to be sold, loaned, circulated or distributed, or to be  
 11 introduced into any family, school or place of education.

12 Lottery Tickets 3. To search for and seize lottery tickets, or materials for  
 13 a lottery, unlawfully made, provided or procured for the purpose of draw-  
 14 ing a lottery.

15 Property wrongfully taken and concealed 4. To search for and seize any  
 16 property feloniously taken and concealed.

Section 5. Section 126 of an act entitled "An act to revise the law in re-  
 2 lation to criminal jurisprudence," approved March 27, 1874, in force July 1,  
 3 1874, and all acts and parts of acts in conflict herewith be and the same are  
 4 hereby repealed.



1. Introduced by Mr. Allen May 7, 1891, and ordered to first reading.
2. First reading May 7, 1891, and referred to Committee on Judiciary.
3. Reported back May 8, 1891, and ordered to be printed for use of committee.

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## A BILL

For an act to regulate stock yard charges and commissions on sale therein and to enforce the same.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person or persons, company or corporation owning or operating a stock yard or stock yards or doing business therein in this State where stock is bought and sold, unloaded or reloaded, to charge or collect a greater rate of yardage than fifteen cents per head for cattle, horses or mules; eight cents per head for any such stock under one year of age; five cents per head for hogs; four cents per head for sheep; nor more than fifty per cent. addition to the current market wholesale price for corn, hay, straw or other material supplied by them for feeding or bedding such animals, such sales to be conducted by actual standard weight and of good merchantable quality.

§ 2. It shall be unlawful for any person or persons, company or corporation to demand or receive as commissions or charges any sum in excess of the following rates on any sale of stock made in or for a stock yard, namely: On sales of hogs or sheep, per car load lots, single deck car, four dollars, and per car load lots, double deck car, seven dollars; on sales of

6 cattle in car loads of twenty-four or over, seven dollars per car load, in  
 7 less number, thirty-five cents per head; on sales of veal calves in single  
 8 car load lots, six dollars, in double deck car loads, ten dollars; in less num-  
 9 ber, twenty-five cents per head.

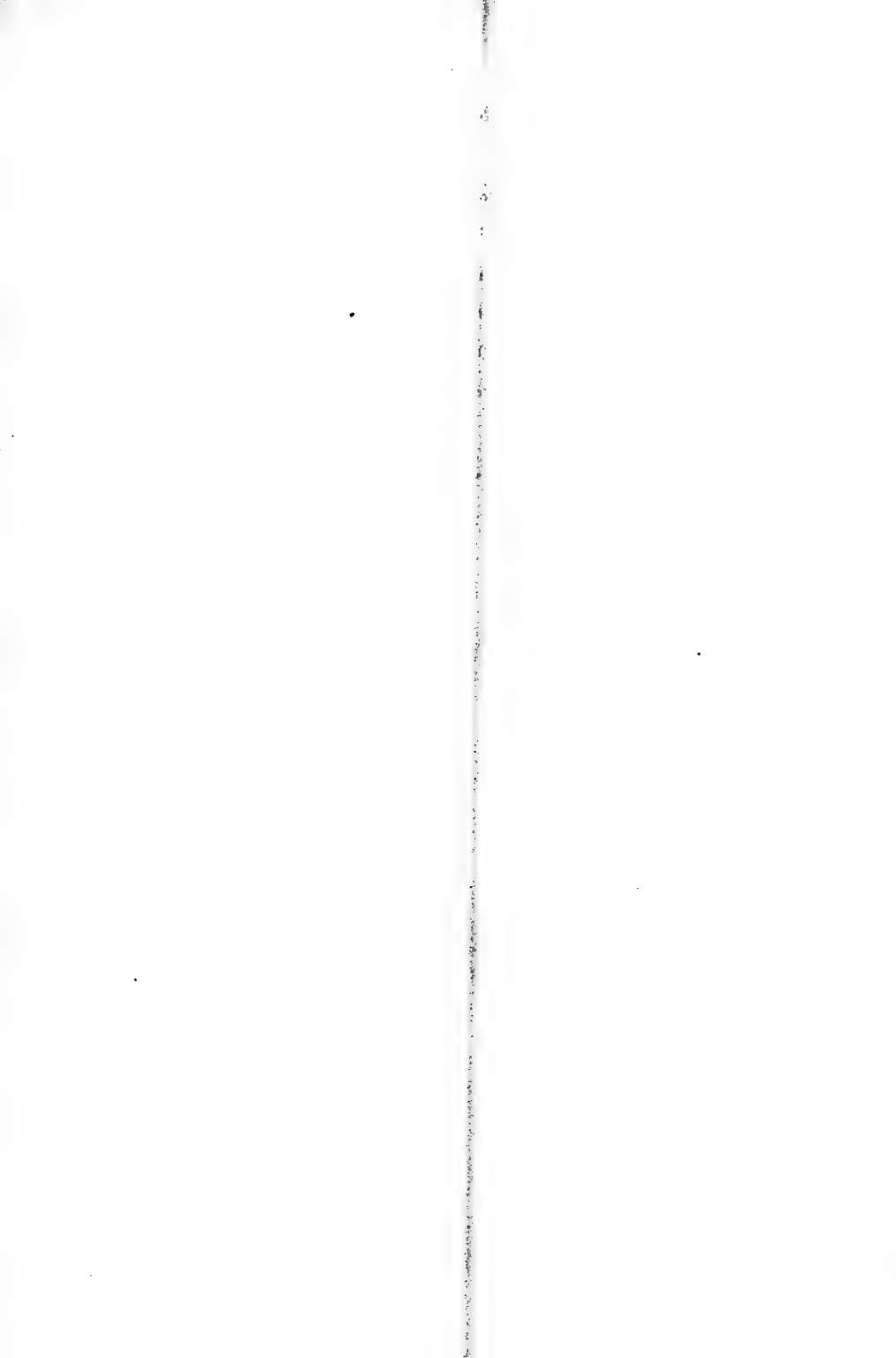
§ 3. It shall be unlawful for any such person or persons, company or  
 2 corporation to make any charges for watering or furnishing water to such  
 3 stock, or for counting such stock into or out of any yard, pen, box or car  
 4 or stable, or to make any shift or device by which any additional cost or  
 5 charges can be made for the keeping, care, custody or control of said stock  
 6 as mentioned in section one of this act, or make any charge for yarding  
 7 when stock is unloaded and reloaded without being sold.

§ 4. It shall not be lawful for any person or persons, company or corpo-  
 2 ration owning or operating a stock yard or doing business therein in this  
 3 State to prohibit any owner or owners of dead animals in said yard from  
 4 selling the same, and for that purpose any owner or owners or their agent  
 5 or agents, employe or employees shall have the right of entering such yard  
 6 or yards and removing said dead animals therefrom, subject however to  
 7 such reasonable rule or rules as said person, company or corporation may  
 8 adopt for the sanitary regulation of said yard or yards: *Provided*, that any  
 9 such rule or rules must be made subject to such sanitary laws as may be  
 10 in force by the State or any municipal corporation having jurisdiction of  
 11 said yard or yards.

§ 5. Any person or persons, company or corporation violating any of the  
 2 provisions of this act shall be liable to a penalty of not less than fifty  
 3 dollars nor more than two hundred dollars for each offense, to be recovered  
 4 in an action of debt in the name of the People of the State of Illinois, the  
 5 amount so recovered to be paid into the treasury of the county in which  
 6 the offense occurs and be placed by the county treasurer to the credit of  
 7 the general revenue fund of said county, but no recovery shall be had in

any case for any offense committed more than sixty days prior to the commencement of the action.

§ 6. It shall be the duty of the State's attorney of such county wherein any provision or provisions of this act have been violated to institute and prosecute any and all suits upon the affidavit of the person or persons aggrieved; and in case of conviction the court shall assess, in addition to the penalty provided in section four of this act, a reasonable compensation for the services of the State's attorney.



1. Introduced by Mr. Sheridan May 7, 1891, and ordered to first reading,
2. First reading May 7, 1891, and ordered to second reading without reference.

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## A BILL

For an act to prevent injury to levees and embankments.

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SECTION 1. *Be it enacted by the People of the State of Illinois*

2 *in the General Assembly.* That whoever feloniously cuts or destroys any levee  
3 or embankment or any portion thereof around any city, village, town, farm,  
4 body of land, or upon which any public road or railroad is located, with  
5 intent to cause the water to run through or across the same, shall be guilty  
6 of felony and upon conviction shall be imprisoned in the penitentiary not  
7 less than one or more than ten years: *Provided,* that this act shall not prevent  
8 cuts being made through such levees and embankments for drainage pur-  
9 poses if the same is done at a time and in the manner so as not to injure  
10 such levee or embankment.

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1. Introduced by Mr. McDonald May 7, 1891, and ordered to first reading.
  2. First reading May 7, 1891, and referred to Committee on Judiciary.
  3. Reported back May 8, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to provide for increasing the number of trustees of colleges, seminaries and academies incorporated solely for educational purposes, and possessing no capital stock.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the number of trustees of any college, seminary or academy, incorporated under any general or special law of this State, and possessing no capital stock, may be increased in the manner hereinafter provided.

§ 2. The board of trustees of any such college, seminary or academy may, at any regular annual meeting thereof, adopt a resolution declaring the number of members of which its board of trustees shall thereafter consist, and specifying the number to be added to the membership of such board as stated in the act incorporating such college, seminary or academy or in its charter.

§ 3. Whenever any such resolution shall have been adopted by such board of trustees, a certified copy thereof, verified by the affidavit of the president of said board and under the corporate seal of such college, seminary or academy shall be filed in the office of the Secretary of State, and a like copy filed in the office of the recorder of deeds of the county

6 where such college, seminary or academy is located. Upon the filing  
7 of such certified copies, the number of trustees specified in the resolution  
8 so adopted shall be and become the legal number of trustees of such col-  
9 lege, seminary or academy.

§ 4. The power to increase the number of trustees of any such college,  
2 seminary or academy shall not be exhausted by the increase of the num-  
3 ber of its trustees to any number less than twenty-five, but such power  
4 may be exercised at different annual meetings of its board of trustees until  
5 said number is reached.

1. Introduced by Mr. Karraker, May 7, 1891, and ordered to first reading.
  2. First reading May 7, 1891, and referred to Committee on Roads, Highways and Bridges.
  3. Reported back May 22, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to amend an act and the title thereto, entitled "An act to enable cities and villages to build, acquire and maintain bridges and ferries outside of their corporate limits, and to control the same," approved and in force May 5, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to enable cities and villages to build, acquire and maintain bridges and ferries outside of their corporate limits and to control the same," approved and in force May 5, 1879, be amended, with the title thereto, so as to hereafter read as follows:

An act to enable cities and villages to build, acquire and maintain bridges and ferries outside their corporate limits and to control the same; also to construct, improve and maintain roads, outside of their corporate limits.

Section 1. That it shall be lawful for any city or village within this State to build, or acquire by purchase, lease, or gift, and to maintain ferries and bridges, and the approaches thereto, for each ferry or bridge within the corporate limits, or at any point within five (5) miles of the corporate limits of such city or village; also to construct, improve and maintain roads within five (5) miles of the corporate limits of such city or village, connecting with said bridges and ferries on either side thereof. That all such

8 ferries, bridges and roads shall be free to the public and no toll shall ever  
9 be collected by any such city or village authority: *Provided*, that where  
11 any city or village has become or is the owner of any toll bridges or ferries  
11 and is keeping up and maintaining the same by authority of law, all owner-  
12 ship and rights vested in such city or village shall continue in and be held  
18 and exercised by them, and they may from time to time fix the rates of  
14 toll on such bridges and ferries: *And provided, further*, that in all cases  
15 where a bridge shall hereafter be built, or a ferry acquired across a navi-  
16 able stream, by any city or village, in whole or in part, where the popula-  
17 tion of such city or village furnishing the principal part of the expenses  
18 thereof shall not exceed five thousand (5,000) inhabitants, and where it is  
19 necessary to maintain a draw and lights, and a debt shall be incurred by  
20 such city or village for such purpose, then a reasonable toll may be collected  
21 by the city or village contracting such indebtedness, to be set apart and  
22 appropriated to the payment of said indebtedness, interest thereon and  
23 the expenses of keeping such bridge in repair and of maintaining, opening  
24 and closing the proper draws thereon and lights; or in case of a ferry,  
25 keeping the approaches and boat in repair and operating the same.

§ 2. Every bridge or ferry so owned or controlled by such city or village,  
2 and the approaches thereto, when outside the corporate limits, shall be sub-  
3 ject to the municipal control and ordinances of such city or village, the  
4 same to all intents and purposes and in effect as though such bridge or  
5 ferry and the approaches thereto were situated within the corporate limits  
6 of such city or village, and in such case the county may assist in the con-  
7 struction of said bridge, as is now provided by law.

1. Introduced by Committee on Insurance May 8, 1891, and ordered first reading.
2. First reading May 8, 1891, and ordered to second reading.
3. Second reading May 27, amended, and ordered to a third reading.

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## A BILL

For an act to amend sections one (1), two (2), six (6), eight (8) and seventeen (17) of an act entitled "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to the beneficiaries of deceased members, or accident or permanent disability indemnity to members thereof," title and act as amended by act approved June 16, 1887, in force July 1, 1887.

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### *SECTION 1. Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That sections one (1), two (2), six (6), eight (8) and  
3 seventeen (17) of an act entitled "An act to provide for the organization  
4 and management of corporations, associations or societies for the purpose of  
5 furnishing life indemnity or pecuniary benefits to the beneficiaries of  
6 deceased members, or accident or permanent disability indemnity to mem-  
7 bers thereof," title and act as amended by act approved June 16, 1887, in  
8 force July 1, 1887, be and the same are hereby amended so as to read as  
9 follows:

Section 1. That corporations, associations or societies for the purpose of  
2 furnishing life indemnity or pecuniary benefits upon the death of a mem-  
3 ber to the widows, heirs, relatives, legal representatives or the designated

4 beneficiaries of such deceased member, or for the purpose of furnishing  
5 accident or permanent disability indemnity to members thereof, and where  
6 members shall receive no money as profits, and where the funds for the  
7 payment of such benefits shall be secured, in whole or in part, by assess-  
8 ment upon the members holding policies, certificates or contracts, may be  
9 organized subject to the conditions hereinafter provided.

Section 2. Any five or more persons, citizens of the United States, a  
2 majority of whom shall be bona fide citizens and voters of this State, may  
3 associate themselves together as a body corporate, for which purpose they  
4 shall make, sign and acknowledge, before any officer authorized to take  
5 acknowledgements of deeds in this State, a certificate of association, in  
6 which shall be stated the name or title by which such corporation, associa-  
7 tion or society shall be known in law; the location of its principal business  
8 office (which office must be located in this State); the name and residence of  
9 the incorporators; the object of the corporation, with its plan of doing  
10 business clearly and fully defined; the number of its directors, trustees or  
11 managers, and the names of those selected to serve until its first annual  
12 meeting; the limits as to age of applicants for membership, which  
13 shall not exceed sixty-five years, and that medical examinations are  
14 required, and that bona fide applications have been secured for  
15 at least \$500,000, by not less than five hundred persons, who have  
16 each made application for membership in such proposed association  
17 or society, and have been duly examined and recommended by a reputable  
18 physician, and have each deposited with the parties asking such charter  
19 the sum of ten dollars as advance assessment for mortuary purposes, which  
20 certificate of association and applications, together with the certificate  
21 of some solvent bank or banks that all of such advance mortuary  
22 funds are deposited therein to be turned over to the treasurer of such  
23 association when organized, shall be submitted to the Auditor of Public

24 Accounts, who shall carefully examine the same; and, if he shall find that the  
 25 objects and purposes are fully and definitely set forth and are clearly within  
 26 the provisions of this act, and that the name or title is not the same or  
 27 does not so closely resemble a title in use as to have a tendency to mislead  
 28 the public, shall approve the same: *Provided*, that when the object of an  
 29 association or society is to furnish indemnity upon the death of a member  
 30 resulting from accident alone, or to furnish accident or permanent disability  
 31 indemnity as specified in section 1 of this act, it shall not be necessary to  
 32 state in such certificate of association that medical examinations are re-  
 33 quired or to require medical examination of applicants. If for either of the  
 34 aforesaid, or other good and sufficient reasons, the said Auditor shall be  
 35 unwilling to approve the certificate of association, he shall immediately in-  
 36 form the incorporators of the fact, stating his objections fully in writing.  
 37 If the certificates and other documents are sufficient and satisfactory to the  
 38 Auditor, he shall forthwith file the certificate of association, with his certi-  
 39 cate of approval thereof, in the office of the Secretary of State.

Section 6. Assessment notices sent to members or policy holders by any  
 2 corporation, association or society transacting the business of assessment in-  
 3 surance in this State, shall truly state the object or objects for which the  
 4 money to be collected is intended, and no part of the funds collected for  
 5 death or disability benefits shall be used for the payment of expenses, ex-  
 6 cept the legitimate cost of collecting and defending such death or disability  
 7 fund from illegal, fraudulent and unaudited claims, but shall not be ap-  
 8 plied in payment of office expenses, salaries or other compensation of offi-  
 9 cers, managers, directors or office employees. And if such corporation, asso-  
 10 ciation or society is not paying its death claims in full to the maximum  
 11 face value of its certificates or policies, it shall state the names, last ad-  
 12 dress and amount of certificates of the deceased members, the amount  
 13 which would be realized for the beneficiaries of each if all the members

14 who are assessed would pay the assessment. An affidavit made by the off-  
 15 cer, bookkeeper or clerk of any such corporation having charge of the  
 16 mailing of notices setting forth the facts as they appear on the records in  
 17 the office of the said corporation, showing that such notice was mailed and  
 18 the date of mailing, shall be accepted by all the courts of this State as  
 19 prima facie evidence of the mailing of such notice.

Section 8. All corporations, associations or societies transacting business  
 2 under the provisions of this act, may provide by by-laws or contract for  
 3 the accumulation of a surplus, general or guarantee fund, which may be  
 4 invested in the corporate name of the association or society only in such  
 5 securities as life insurance companies are permitted by the laws of this  
 6 State, or, in case of a foreign corporation, of its home State, to invest in.  
 7 Such funds when so set apart and so invested shall, with the increase  
 8 thereof, belong to such corporation, association or society, and not to the  
 9 directors, trustees, managers or officers thereof; and shall be used only for  
 10 the payment of mortuary benefits or permanent disability claims without  
 11 assessment, or applied in payment of future assessments or cash surrender  
 12 values not exceeding the pro rata interest the member receiving such sur-  
 13 render value shall have in such surplus fund, or it may be otherwise used  
 14 for the promotion of the object or objects for which said funds are specially  
 15 provided and set apart; and such use shall not be deemed or construed to  
 16 mean a profit received by members, within the meaning of the statutes of  
 17 this State. Nothing in this act shall be deemed or construed to authorize  
 18 the payment of such funds to members as endowments or as lifetime profits  
 19 or as payment to members otherwise than for mortuary benefits or accident  
 20 or permanent disability benefits and cash surrender values as above stated.  
 21 Any such corporation, association or society, incorporated and doing busi-  
 22 ness in this State, may, in its discretion through its officers or trustees,  
 23 deposit all or any part of its securities in which its emergency, surplus, re-



24 serve or guarantee funds may be invested as provided by law, with the Au-  
 25 ditor of Public Accounts, who shall give a certificate receipting for such  
 26 deposits and shall hold the same for the purposes for which such funds  
 27 were accumulated, in trust for the corporation so depositing the same; and  
 28 every corporation, association or society depositing such securities shall have  
 29 the right to receive the income thereof, and its board of directors, trustees  
 30 or managers shall have the right to exchange such securities from time to  
 31 time and to withdraw any portion of the same for the purpose of meeting  
 32 its mortuary or permanent disability claims when an assessment upon the  
 33 members would not realize the maximum amount of such claims, or in case  
 34 of dissolution or reinsurance of such corporation, association or society,  
 35 after giving sixty days' notice to the said Auditor of their intention so to  
 36 do. It shall be the duty of said Auditor, upon receiving such notice, to  
 37 publish the same, four times, in some newspaper of general circulation, pub-  
 38 lished in the city of Springfield in this State; the expense of such publica-  
 39 tion to be borne by the corporation, association or society giving the notice.

Section 17. Any corporation, association or society, organized under the  
 2 laws of any other State or government, for the purpose of furnishing life,  
 3 accident or permanent disability indemnity upon the assessment or natural  
 4 premium plan, and is carrying on such business under the law of its home  
 5 State or government, which pays benefits only to such as have an insurable  
 6 interest in the life insured, shall, upon compliance with the provisions of  
 7 this act, be licensed by the Auditor of Public Accounts; and no such cor-  
 8 poration, association or society shall be permitted to transact business in  
 9 this State until it shall have been so licensed. Such corporation, associa-  
 10 tion or society shall first pay to the Auditor a fee of \$25, deposit with the  
 11 said Auditor a certified copy of its charter or articles of incorporation, a  
 12 copy of its statement of business for the preceding year, sworn to by its  
 13 president and secretary, or like officers, showing a detailed account of in-

14 come and disbursements, the amount of life or accident indemnity in force,  
15 its assets and liabilities in detail, number of members, a certificate sworn to  
16 by its president and secretary, or like officers, that such corporation, associ-  
17 tion or society is paying and for two years next preceeding has paid its  
18 maximum certificates or policies to the full amount named therein, a certi-  
19 ficate from the State official charged with the enforcement of the insurance  
20 laws, or, if there be no such official, a certificate from the Attorney General  
21 of its home State, certifying that corporations, associations or societies fur-  
22 nishing life or accident indemnity on the assessment or natural premium  
23 plan and paying their maximum certificates or policies in full and chartered  
24 under and in accordance with the laws of this State, are legally entitled to  
25 do business in its home State, evidence satisfactory to said Auditor that  
26 such corporation, company or association has accumulated and maintained a  
27 a fund securely invested in securities permitted by the law of its incorpora-  
28 tion not less in amount than the proceeds of one periodical payment by or  
29 an assessment on all certificate or policy holders thereof, and that such fund  
30 is held solely for the benefit of certificate or policy holders and can only  
31 be used for the purposes provided in the laws of the State where incor-  
32 porated: *Provided*, that said fund in the case of accident companies or ac-  
33 cident associations shall not be less than five thousand dollars and need  
34 not be more than ten thousand dollars, and a copy of its policy or certifi-  
35 cate of membership, its application and by-laws which must together show  
36 that the payments to be made by members or policy holders are not limited  
37 to fixed premiums. And it shall legally designate a person or agent resid-  
38 ing in this State to receive service of process for such corporation, or in de-  
39 fault of such designated service of process may be made upon the Auditor  
40 of Public Accounts of Illinois, who shall be deemed its agent for that pur-  
41 pose; and he shall immediately notify any corporation thus served. Any  
42 corporation, association or society incorporated under the laws of any other

43 State or Territory and authorize thereby to issue contracts of insurance of  
 44 a character prohibited by this act to natural premium, co-operative or  
 45 assessment corporations, associations or societies, shall be permitted to trans-  
 46 act the various kinds of business authorized by this act upon complying  
 47 in all other respects with the requirements thereof and filing with the  
 48 Auditor of Public Accounts an agreement duly executed by its proper  
 49 officers that such corporation, association or society will not enter into or  
 50 issue any contract of insurance, policy or agreement not permitted by this  
 51 act. And any such corporation, association or society which has received  
 52 money advanced for the expenses and purposes of organization shall be per-  
 53 mitted to transact the various kinds of business authorized by this act, upon  
 54 complying in all other respects with the requirements thereof and filing  
 55 with the Auditor of Public Accounts the affidavit of its president and secre-  
 56 tary that the receipts and certificates or other evidences of money so ad-  
 57 vanced are not dividend-bearing stock, and that their plan of organization  
 58 does not contemplate or provide for the future payment of such dividends  
 59 or other profits. Any license herein provided for shall be revoked by the  
 60 Auditor of Public Accounts whenever, upon investigation, he is satisfied  
 61 that such corporation is not paying or is not able to pay its maximum cer-  
 62 tificates or policies to the full limit named therein, or is not complying  
 63 with the obligations imposed by this act. When any such license is revoked  
 64 the Auditor shall give notice thereof to the president and secretary of the  
 65 corporation and publish a notice thereof in a newspaper of general circula-  
 66 tion published in the city of Springfield, and no new business shall be  
 67 thereafter done by it or its agents in this State. When the laws or the  
 68 rulings of the insurance officials of any other State or country shall impose  
 69 any additional license fees, taxes, penalties or other obligations upon any  
 70 corporation of this State or its agent, like license fees, taxes, penalties or  
 71 obligations shall be imposed upon similar corporations and their agents of

72 such State or country doing business in this State. Secret societies having  
73 subordinate lodges or councils organized for the purpose of furnishing life,  
74 accident or permanent disability indemnity on the assessment plan, and now  
75 permitted by the laws of this State to do business in this State, shall not  
76 be required to comply with the provisions of this act.

1. Introduced by Committee on Insurance May 8, 1891, and ordered to first reading.
2. First reading May 8, 1891, and ordered to second reading.

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## A BILL

For an act to amend sections one (1), two (2), six (6), eight (8) and seventeen (17) of an act entitled "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to the beneficiaries of deceased members, or accident or permanent disability indemnity to members thereof," title and act as amended by act approved June 16, 1887, in force July 1, 1887.

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**Enacted.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That sections one (1), two (2), six (6), eight (8) and seventeen (17) of an act entitled "An act to provide for the organization and management of corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits to the beneficiaries of deceased members, or accident or permanent disability indemnity to members thereof," title and act as amended by act approved June 16, 1887, in force July 1, 1887, be and the same are hereby amended so as to read as follows:

Section 1. That corporations, associations or societies for the purpose of furnishing life indemnity or pecuniary benefits upon the death of a member, to the widows, heirs, relatives, legal representatives or the designated

4 beneficiaries of such deceased member, or for the purpose of furnishing  
5 accident or permanent disability indemnity to members thereof, and where  
6 members shall receive no money as profits, and where  
7 the funds for the payment of such benefits shall be secured, in whole or  
8 in part, by assessment upon the members holding policies, certificates or  
9 contracts, may be organized subject to the conditions hereinafter provided.

Section 2. Any five or more persons, citizens of the United States, a ma-  
2 jority of whom shall be bona fide citizens and voters of this State, may  
3 associate themselves together as a body corporate, for which purpose they  
4 shall make, sign and acknowledge, before any officer authorized to take  
5 acknowledgements of deeds in this State, a certificate of association, in  
6 which shall be stated the name or title by which such corporation, associa-  
7 tion or society shall be known in law; the location of its principal business  
8 office (which office must be located in this State); the name and residence of  
9 the incorporators; the object of the corporation, with its plan of doing busi-  
10 ness clearly and fully defined; the number of its directors, trustees or  
11 managers, and the names of those selected to serve until its first annual  
12 meeting; the limits as to age of applicants for membership, which shall not  
13 exceed sixty-five years, and that medical examinations are required,  
14 and that bona fide applications have been secured for  
15 at least \$500,000, by not less than five hundred persons,  
16 who have each made application for membership in such proposed associa-  
17 tion or society, and have been duly examined and recommended by a repu-  
18 table physician, and have each deposited with the parties asking such char-  
19 ter the sum of ten dollars as advance assessment for mortuary purposes,  
20 which certificate of association and applications, together with the certifi-  
21 cate of some solvent bank or banks that all of such advance mortuary  
22 funds are deposited therein to be turned over to the treasurer of such asso-  
23 ciation when organized, shall be submitted to the Auditor of Public Ac-  
24 counts, who shall carefully examine the same; and, if he shall find that the

25 objects and purposes are fully and definitely set forth and are clearly within  
 26 the provisions of this act, and that the name or title is not the same or  
 27 does not so closely resemble a title in use as to have a tendency to mislead  
 28 the public, shall approve the same: *Provide*, that when the object of an  
 29 association or society is to furnish indemnity upon the death of a member  
 30 resulting from accident alone, or to furnish accident or permanent disability  
 31 indemnity as specified in section 1 of this act, it shall not be necessary to  
 32 state in such certificate of association that medical examinations are re-  
 33 quired or to require medical examination of applicants. If for either of the  
 34 aforesaid, or other good and sufficient reasons, the said Auditor shall be  
 35 unwilling to approve the certificate of association, he shall immediately in-  
 36 form the incorporators of the fact, stating his objections fully in writing.  
 37 If the certificates and other documents are sufficient and satisfactory to the  
 38 Auditor, he shall forthwith file the certificate of association, with his certi-  
 39 cate of approval thereof, in the office of the Secretary of State.

Section 6. Assessment notices sent to members or policy holders by any  
 2 corporation, association or society transacting the business of assessment in-  
 3 surance in this State, shall truly state the object or objects for which the  
 4 money to be collected is intended, and no part of the funds collected for  
 5 death or disability benefits shall be used for the payment of expenses, ex-  
 6 cept the legitimate cost of collecting and defending such death or disability  
 7 fund from illegal, fraudulent and unaudited claims, but shall not be ap-  
 8 plied in payment of office expenses, salaries or other compensation of offi-  
 9 cers, managers, directors or office employees. And if such corporation, asso-  
 10 ciation or society is not paying its death claims in full to the maximum  
 11 face value of its certificates or policies, it shall state the names, last ad-  
 12 dress and amount of certificates of the deceased members, the amount  
 13 which would be realized for the beneficiaries of each if all the members  
 14 who are assessed would pay the assessment. An affidavit made by the off-

15 cer, bookkeeper or clerk of any such corporation having charge of the  
 16 mailing of notices setting forth the facts as they appear on the records in  
 17 the office of the said corporation, showing that such notice was mailed and  
 18 the date of mailing, shall be accepted by all the courts of this State as  
 19 conclusive evidence of the mailing of such notice.

Section 8. All corporations, associations or societies transacting business  
 2 under the provisions of this act, may provide by by-laws or contract for  
 3 the accumulation of a surplus, general or guarantee fund, which may be  
 4 invested in the corporate name of the association or society only in such  
 5 securities as life insurance companies are permitted by the laws of this  
 6 State, or, in case of a foreign corporation, of its home State, to invest in.  
 7 Such funds when so set apart and so invested shall, with the increase  
 8 thereof, belong to such corporation, association or society, and not to the  
 9 directors, trustees, managers or officers thereof; and shall be used only for  
 10 the payment of mortuary benefits or permanent disability claims without  
 11 assessment, or applied in payment of future assessments or cash surrender  
 12 values not exceeding the pro rata interest the member receiving such sur-  
 13 render value shall have in such surplus fund, or it may be otherwise used  
 14 for the promotion of the object or objects for which said funds are specially  
 15 provided and set apart; and such use shall not be deemed or construed to  
 16 mean a profit received by members, within the meaning of the statutes of  
 17 this State. Nothing in this act shall be deemed or construed to authorize  
 18 the payment of such funds to members as endowments or as tontine profits  
 19 or as payment to members otherwise than for mortuary benefits, or accident  
 20 or permanent disability benefits and cash surrender values as above stated.  
 21 Any such corporation, association or society, incorporated and doing busi-  
 22 ness in this State, may, in its discretion, through its officers or trustees, de-  
 23 posit all or any part of its securities in which its emergency, surplus, re-  
 24 serve or guarantee funds may be invested as provided by law, with the Au-



25 ditor of Public Accounts, who shall give a certificate receipting for such  
 26 deposit and shall hold the same for the purposes for which such funds  
 27 were accumulated, in trust for the corporation so depositing the same; and  
 28 every corporation, association or society depositing such securities shall have  
 29 the right to receive the income thereof, and its board of directors, trustees  
 30 or managers shall have the right to exchange such securities from time to  
 31 time and to withdraw any portion of the same for the purpose of meeting  
 32 its mortuary or permanent disability claims when an assessment upon the  
 33 members would not realize the maximum amount of such claims, or in case  
 34 of dissolution or reinsurance of such corporation, association or society,  
 35 after giving sixty days' notice to the said Auditor of their intention so to  
 36 do. It shall be the duty of said Auditor, upon receiving such notice, to  
 37 publish the same, four times, in some newspaper of general circulation, pub-  
 38 lished in the city of Springfield in this State; the expense of such publica-  
 39 tion to be borne by the corporation, association or society giving the notice.

Section 17. Any corporation, association or society, organized under the  
 2 laws of any other State or government, for the purpose of furnishing life,  
 3 accident or permanent disability indemnity upon the assessment or natural  
 4 premium plan, and is carrying on such business under the laws of its home  
 5 State or government, which pays benefits only to such as have an insurable  
 6 interest in the life insured, shall, upon compliance with the provisions of  
 7 this act, be licensed by the Auditor of Public Accounts; and no such cor-  
 8 poration, association or society shall be permitted to transact business in  
 9 this State until it shall have been so licensed. Such corporation, associa-  
 10 tion or society shall first pay to the Auditor a fee of \$25, deposit with the  
 11 said Auditor a certified copy of its charter or articles of incorporation, a  
 12 copy of its statement of business for the preceding year, sworn to by its  
 13 president and secretary, or like officers, showing a detailed account of in-  
 14 come and disbursements, the amount of life or accident indemnity in force,

15 its assets and liabilities in detail, number of members, a certificate sworn to  
16 by its president and secretary, or like officers, that such corporation, associa-  
17 tion or society is paying and for twelve months next preceding has paid its  
18 maximum certificates or policies to the full amount named therein, a certi-  
19 ficate from the State official charged with the enforcement of the insurance  
20 laws, or, if there be no such official, a certificate from the Attorney General  
21 of its home State, certifying that corporations, associations or societies fur-  
22 nishing life or accident indemnity on the assessment or natural premium  
23 plan and paying their maximum certificates or policies in full and chartered  
24 under and in accordance with the laws of this State, are legally entitled to  
25 do business in its home State, evidence satisfactory to said Auditor that  
26 such corporation, company or association has accumulated and maintains a  
27 a fund securely invested in securities permitted by the law of its incorpora-  
28 tion not less in amount than the proceeds of one periodical payment by or  
29 an assessment on all certificate or policy holders thereof, and that such fund  
30 is held solely for the benefit of certificate or policy holders and can only  
31 be used for the purposes provided in the laws of the State where incor-  
32 porated: *Provided*, that said fund in the case of accident companies or ac-  
33 cident associations shall not be less than five thousand dollars and need  
34 not be more than ten thousand dollars, and a copy of its policy or certifi-  
35 cate of membership, its application and by-laws which must together show  
36 that the payments to be made by members or policy holders are not limited  
37 to fixed premiums. And it shall legally designate a person or agent resid-  
38 ing in this State to receive service of process for such corporation, or in de-  
39 fault of such designated service of process may be made upon the Auditor  
40 of Public Accounts of Illinois who shall be deemed its agent for that pur-  
41 pose; and he shall immediately notify any corporation thus served. Any  
42 corporation, association or society incorporated under the laws of any other

43 State or Territory and authorized thereby to issue contracts of insurance of  
44 a character prohibited by this article to natural premium, co-operative or  
45 assessment corporations, associations or societies, shall be permitted to trans-  
46 act the various kinds of business authorized by this article upon complying  
47 in all other respects with the requirements thereof and filing with the  
48 Superintendent of Insurance an agreement duly executed by its proper  
49 officers that such corporation, association or society will not enter into or  
50 issue any contract of insurance, policy or agreement not permitted by this  
51 article. And any such corporation, association or society which has received  
52 money advanced for the expenses and purposes of organization shall be per-  
53 mitted to transact the various kinds of business authorized by this act, upon  
54 complying in all other respects with the requirements thereof and filing  
55 with the Auditor of Public Accounts the affidavit of its president and secre-  
56 tary that the receipts and certificates or other evidences of money so ad-  
57 vanced are not dividend-bearing stock, and that their plan of organization  
58 does not contemplate or provide for the future payment of such dividends  
59 or other profits. Any license herein provided for shall be revoked by the  
60 Auditor of Public Accounts whenever, upon investigation, he is satisfied  
61 that such corporation is not paying or is not able to pay its maximum cer-  
62 tificates or policies to the full limit named therein, or is not complying  
63 with the obligations imposed by this act. When any such license is revoked  
64 the Auditor shall give notice thereof to the president and secretary of the  
65 corporation and publish a notice thereof in a newspaper of general circula-  
66 tion published in the city of Springfield, and no new business shall be  
67 thereafter done by it or its agents in this State. When the laws or the  
68 rulings of the insurance officials of any other State or country shall impose  
69 any additional license fees, taxes, penalties or other obligations upon any  
70 corporation of this State or its agent, like license fees, taxes, penalties or  
71 obligations shall be imposed upon similar corporations and their agents, of

72 such State or country doing business in this State. Secret societies having  
73 subordinate lodges or councils organized for the purpose of furnishing life,  
74 accident or permanent disability indemnity on the assessment plan, and now  
75 permitted by the laws of this State to do business in this State, shall not  
76 be required to comply with the provisions of this act.

AMENDMENT TO SENATE BILL No. 393—IN HOUSE.

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Adopted by the House of Representatives June 9, 1891. Ordered printed and engrossed June 9, 1891.

1. Amend section 17 by striking out the word "and" in line 74 of the printed bill, and by inserting between the words "State" and "shall," in line 75 the words "and not now required to comply with the existing laws."

1921-1922

1921-1922

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1921-1922

1. Introduced by Mr. McDonald, May 8, 1891, and ordered to first reading.
  2. First reading May 8, 1891, and ordered to second reading without reference.
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## A BILL

For an act to amend an act entitled "An act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of acts therein named," approved May 4, 1887, and in force July 1, 1887, by adding thereto sections to be numbered 116 and 117.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That "An act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of acts therein named," approved May 4, 1887, and in force July 1, 1887, be amended by adding thereto sections to be numbered—

Section 116. The board of county commissioners of each county shall have full and complete power and jurisdiction to alter the boundaries of road districts and to change road district lines in their respective counties to suit the convenience of the inhabitants residing therein, but no such change shall be made under the provisions of this act unless at least twenty of the legal voters of such road district shall petition for such alteration or change; nor shall such alteration or change be made

8 board of county commissioners without notice thereof having been given by  
9 posting up notices in not less than five of the most public places in each of  
10 the several road districts interested in such proposed alterations or changes.

Section 117. That hereafter all incorporated cities, towns and villages  
2 shall be excluded from all road districts now formed or to be formed in  
3 counties not under township organization in this State.



1. Introduced by Mr. Hunt May 8, 1891, and ordered to first reading.
2. First reading May 8, 1891, and referred to Committee on Appropriations.
3. Reported back May 22, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act making an appropriation for the Illinois Northern Hospital for the  
Insane at Elgin.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly, That the following amounts be and are hereby appropriated to the Illinois Northern Hospital for the Insane at Elgin, for the purposes hereinafter named, and no other:*

5	150 maple bedsteads, at \$4.50 each.....	\$675 00
6	150 wire mattresses, at \$2.75 each.....	412 50
7	150 felt mattresses.....	750 00
8	10 felt mattresses, \$10.00 each.....	100 00
9	450 pairs blankets, at 2.40 each.....	1,080 00
10	150 pillows, at \$1.25 each.....	187 50
11	Other bedding.....	395 00
12	Chairs and other furniture.....	400 00
13	50 cows, at \$25.00 each.....	1,250 00
14	6 farm wagons, at \$50.00 each.....	300 00
15	3 sets double harness, at \$28.00 each.....	84 00

16	6 work horses, at \$100.00 each .....	\$600 00
17	1 freight wagon .....	100 00
18	4 plows, at \$12.50 each .....	50 00
19	1 bull (1 to 2 years old) .....	35 00
20	2 boars, at \$15.00 each .....	30 00
21	2 corn cultivators, at \$32.50 each .....	65 00
22	Fencing, etc .....	250 00

§ 2. The amounts herein appropriated shall be due and payable to the  
 2 trustees of said institution, or to their order, only on the terms and in the  
 3 manner now provided by law.

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AMENDMENTS TO SENATE BILL No. 896—IN HOUSE.

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Adopted by the House of Representatives June 6, 1891, ordered printed and engrossed June 6, 1891.

1. Amend section 1 in line 5 of the printed bill by striking out the figures at 4½ "\$675," and inserting in place thereof the figures "\$500."
2. Amend section 1 in line 6 of the printed bill by striking out at 2.75 "\$412.50," and inserting therefor "\$300."
3. Amend section 1 in line 7 of the printed bill by striking out "\$750," and inserting therefor "\$450."
4. Amend line 8 in section 1 of the printed bill by striking out "\$100," and inserting therefor "\$50."
5. Amend section 1 in line 11 of printed bill by striking out "\$395" and inserting therefor "\$300."
6. Amend section 1 by striking out all of line 17 of the printed bill.
7. Amend section 1 in line 25 of the original bill by striking out "\$24" and "\$48," and inserting therefor "\$40."

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1. Introduced by Mr. Zearing, May 8, 1891, and ordered to first reading.
2. First reading May 8, 1891, and referred to Committee on Insurance.
3. Reported back May 14, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend sections seven (7), eight (8), ten (10) and twelve (12) of an act entitled "An act to organize farmers county mutual live stock insurance companies," approved June 16, 1887, in force July 1, 1887.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That sections seven (7), eight (8), ten (10) and  
3 twelve (12) of an act entitled "An act to organize farmer mutual live stock  
4 insurance companies," approved June 16, 1887, in force July 1, 1887, be  
5 amended so as to read as follows:

Section 7. Any person owning insurable live stock in the county for  
2 which any such company is formed, or in any contiguous county, may  
3 become a member of such company by insuring therein, and shall be entitled  
4 to all the rights and privileges appertaining thereto, and subject to the  
5 payment of such assessments as may be levied by the board of directors  
6 thereof.

Section 8. Such companies may issue policies only on horses, mules and  
2 cattle, (except horses used as street car horses, livery horses, or any horse  
3 used on any race or trotting course,) for a term not exceeding two years,  
4 and not to extend beyond the limited duration of the charter, and for an  
5 amount not to exceed five hundred dollars on any one animal. All persons

6 so insured shall give their obligation to the company, binding themselves,  
 7 their heirs and assigns to pay their pro rata share to the company of the  
 8 necessary expenses, and of all losses by death which may be sustained by  
 9 any member thereof during the time for which their respective policies are  
 10 written; and they shall also, at the time of effecting their insurance, pay  
 11 such percentage in cash, or approved note, and such other charges as may  
 12 be required by the rules or by-laws made by the directors of the company.

Section 10. No such company shall be held responsible for loss of stock  
 2 when taken beyond the limits of this State or in transit.

Section 12. Whenever the amount of any loss or losses shall have been  
 3 ascertained which exceed in amount the cash fund of the company, the  
 4 president shall convene the directors of said company, who shall make an  
 5 assessment upon all of the property which is insured in said company, at  
 6 the time the losses shall have occurred, at such uniform rate as they shall deem  
 7 necessary to meet the payment of such losses and the expenses of the com-  
 8 pany: *Provided*, that if no quorum be present, the secretary shall enter the  
 9 fact upon his journal and the names of the directors present, whereupon  
 10 the president, secretary, treasurer and such of the directors as are present  
 11 shall proceed to estimate the rate per cent. necessary to cover the losses  
 12 and expenses thereby incurred and assess the same upon all property upon  
 13 which risks are carried by the company at the time such losses have occurred,  
 14 which assessment shall be valid and shall be collected in the same way as  
 though it had been made by the board of directors.

1. Introduced by Committee on Judiciary, May 8, 1891, and ordered to first reading.
2. First reading May 8, 1891, and ordered to second reading.

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## A BILL

For an act to amend sections 11, 33, 34 and 35 of "An act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874, as amended by an act approved June 16, 1887, and in force July 1, 1887.

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*SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That sections 11, 33, 34 and 35 of an act entitled "An act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874, as amended by an act approved June 16, 1887, and in force July 1, 1887, be and the same are hereby amended so as to read as follows:*

Section 11. When the owner of the land shall have failed to perform his part of the contract by failing to advance to the contractor moneys justly due him under the contract at the time when the same should have been paid to the contractor, or has failed to perform his part of the contract in any other manner, and by reason thereof the other party shall, without his own default, have been prevented from performing his part, he shall be entitled to a reasonable compensation for as much thereof as has been performed in proportion to the price stipulated for the whole, and the court shall adjust his claim and allow him a lien accordingly.

Section 33. No claim of any sub-contractor, mechanic, workman, or other person, shall be a lien under section 29 of this act, except so far as the owner may be indebted to the contractor at the time of giving such notice,

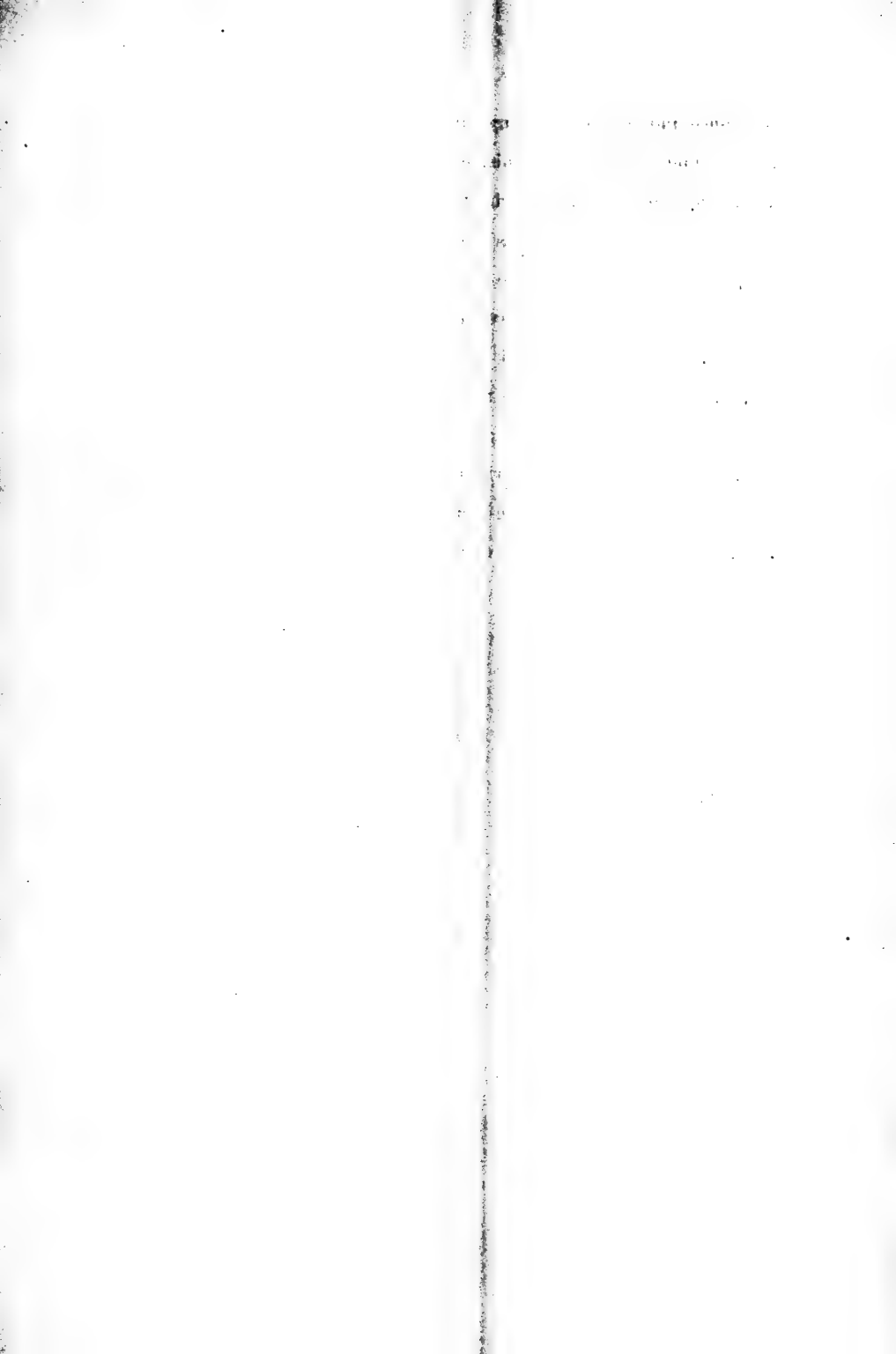
4 as aforesaid, of such claim, or may become indebted afterward to him as  
 5 such contractor: *Provided, however,* the claim of any person for mechanical  
 6 or other labor, under section 29 of this act, shall be a lien for twenty days  
 7 from the last day's work performed by such person, to an amount equal to  
 8 ten per cent of the proportionate value of the contract completed up to the  
 9 date of said last day's work: *Provided,* such notice is served within  
 10 twenty days from the day when such last day's work was performed by such  
 11 person serving such notice, and the owner or his agent may retain for said  
 12 twenty days such ten per cent out of any money due to or to become due  
 13 the contractor: *And provided, further,* this ten per cent shall not be con-  
 14 sidered as in addition to any per cent that may be held back in pursuance  
 15 of the terms of the contract between the owner and the original contractor.

Section 34. When the owner or his agent is notified as aforesaid he may  
 2 retain from any money due or to become due the original contractor an  
 3 amount sufficient to pay all demands that are or will become due such sub-  
 4 contractor, mechanic, workman, or other person, so notifying him, and may  
 5 pay over the same to the persons entitled thereto. In case the amount due  
 6 the original contractor and the ten per cent in section 33 provided is not  
 7 sufficient to pay such persons so entitled in full, he shall first pay all claims  
 8 for mechanical and other labor in full, if the amount due the contractor  
 9 and the said ten per cent is sufficient, if not, then pro rata, but if more than  
 10 sufficient, the balance shall be divided and paid to such other persons, pro  
 11 rata, in proportion to the amounts due them respectively at the time of such  
 12 payment. All payments so made shall, as between such owner and con-  
 13 tractor, be considered the same as if paid to such original contractor.

Section 35. The original contractor shall, as often as requested in writ-  
 2 ing by the owner, lessee, or his agent, make out and give to such owner,  
 3 lessee, or his agent, a statement of the number of persons in his employ, and  
 4 of the sub-contractors, or other persons, furnishing labor or material, giving



5 their names, and how much, if anything, is due or to become due to each of them  
6 for work done or material furnished, which statement shall be made under  
7 oath, if required of him by such owner, lessee, or agent, in which case the  
8 sub-contractor shall, as often as requested in writing by the contractor or  
9 his agent, make out and give to the contractor a statement of the number of  
10 persons in his employ, or sub-contractors or other persons furnishing ma-  
11 terial, giving their names and how much, if anything, is due to each of  
12 them, which statement shall be made under oath, if required by such con-  
13 tractor; and, if any contractor or sub-contractor shall fail to furnish such  
14 statement within five days after demand, made as aforesaid, he shall forfeit  
15 to such owner or contractor the sum of fifty dollars for every offense, which  
16 may be recovered in an action of debt before a justice of the peace.



1. Introduced by Mr. Seibert, May 12, 1891, and ordered to first reading.
  2. First reading May 12, 1891, and referred to Committee on Elections.
  3. Reported back May 31, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to amend section 1, of article 7, of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

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**Enacted.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 1, of article 7, of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, be and the same is hereby amended so as to read as follows:

Section 1. Such election commissioners and the chief clerk of the board of election commissioners shall be paid by the county. And for the purpose of fixing their fees and compensation the several counties of this State are divided into three classes, as they are now classified by law, as to fees and salaries.

In counties of the first class, said election commissioners shall each receive a salary of \$500, and chief clerk a salary of \$400 per annum.

In counties of the second class, such election commissioners shall each receive a salary of \$700, and such chief clerk a salary of \$1,000 per annum.

10 In counties of the third class, to-wit: In Cook county such election com-  
11 missioners shall each receive a salary of \$1,500, and such chief clerk a salary  
12 of \$2,000 per annum.

13 All expense incurred by said board of election commissioners, shall be  
14 paid by such city. Such salaries and expenditures are to be audited by the  
15 county judge, and such salaries shall be paid by the county treasurers upon  
16 the warrant of such county judge, out of any money in the county treasury  
17 not otherwise appropriated, and such expenditures shall be paid by the city  
18 treasurer, upon the warrant of such county judge, out of any money in the  
19 city treasury not otherwise appropriated. It shall also be the duty of the  
20 governing authority of such counties and cities respectively to make pro-  
21 vision for the prompt payment of such salaries and expenses, as the case  
22 may be.

1. Introduced by Mr. Bassett May 13, 1891, and ordered to first reading.
2. First reading May 13, 1891, and referred to Committee on Education and Educational Institutions.
3. Reported back May 27, passage recommended, and ordered to second reading.

## A BILL

For an act entitled "An act to amend an act entitled 'An act to authorize cities, incorporated towns and townships to establish free public libraries and reading rooms,'" approved March 7, 1872, by adding thereto four sections, to be known as sections 13, 14, 15 and 16.

SECTION 13. *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That an act entitled "An act to authorize cities,  
3 incorporated towns and townships to establish and maintain free public  
4 libraries and reading rooms," approved March 7, 1872, be and the same is  
5 hereby amended by adding thereto four sections, to be known as sections  
6 13, 14, 15 and 16 as follows: Whenever any board of directors of any public  
7 library, organized under the provisions of the act to which this is an  
8 amendment, shall determine to erect a building to be used for their library,  
9 or to accumulate a fund for the erection of such building, they may do so  
10 as follows:

11 The directors shall cause a plan for such building to be prepared, and  
12 an estimate to be made of its cost; they may then determine the time or  
13 years over which they will spread the collection of the cost of said build-  
14 ing, not exceeding twenty (20) years, and shall make a record of their said  
15 proceedings and transmit a copy thereof to the city council for its ap-  
16 proval.

17 If the council shall approve the action of the board the board shall divide  
 18 the total cost of said building into as many parts as they shall determine  
 19 to spread the cost of the collection thereof, and shall certify the amount of  
 20 one of said parts to the city council, each and every year during the time  
 21 or term over which they shall have determined to spread the collection of  
 22 the cost of said building.

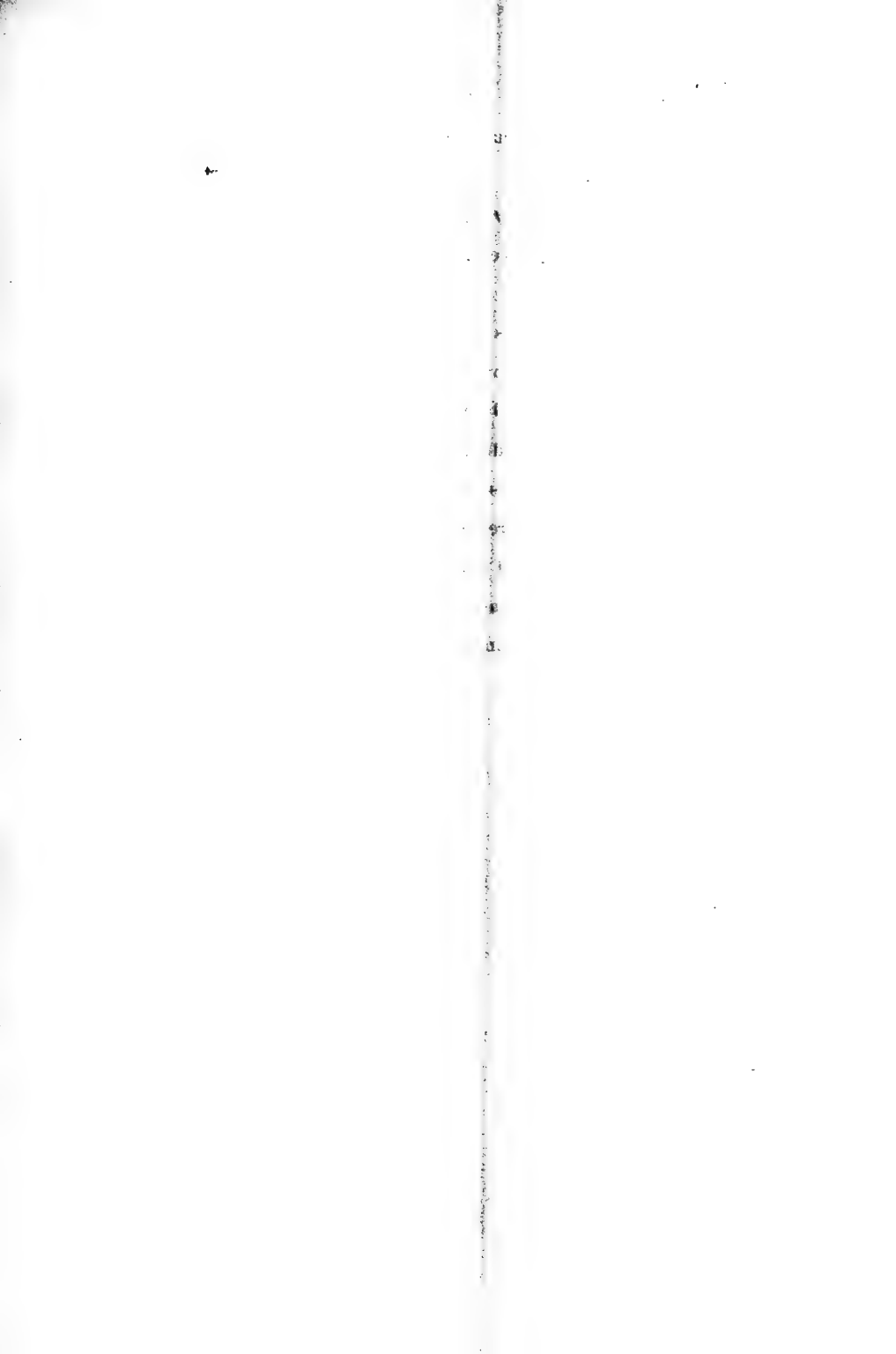
23 The city council on receiving the said last mentioned certificate shall in  
 24 its next annual appropriation bill include the amount so certified, and shall  
 25 levy and collect a tax to pay the same, with the other general taxes of the  
 26 city: *Provided*, the said levy shall not exceed five (5) mills on the dollar in  
 27 any one year and shall not be levied oftener than for the number of years  
 28 into which the library board shall have divided the costs of said building:  
 29 *And provided, further*, no city shall construct more than one building under  
 30 the provisions of this act, and when said sum herein mentioned shall have  
 31 been collected the said tax shall cease.

§ 14. The library board shall determine when they will proceed with the  
 2 construction of the building; they may proceed at once or may determine  
 3 to wait and allow the fund to accumulate, but shall not delay construction  
 4 of said building longer than for the collection of one-half of said fund. If  
 5 they shall determine to wait they shall certify their action to the city  
 6 council and said city council shall invest said money in good interest pay-  
 7 ing securities, there to remain until the same is needed for the construction  
 8 of the building under the provisions of this act.

§ 15. When the directors shall determine to commence the construction  
 2 of the building they may then revise the plan therefor or adopt a new  
 3 plan and provide estimates of the costs thereof, and shall advertise for  
 4 bids for the construction of said building and shall let the contract to the  
 5 lowest and best responsible bidder, and may require from such bidder  
 6 securities for the performance of his bid as the board shall determine:

7 *Provided*, the said directors may let the contract for one part of said  
8 building to one bidder, and for another part to another bidder as they  
9 shall determine: *And provided, further*, the board of directors shall not in  
10 any new plan increase the per cent. of the tax levy hereunder, without the  
11 approval of the city council.

§ 16. If the board of directors shall think best they may construct the  
2 building so that a portion thereof may be rented, and may at any time  
3 during the construction thereof borrow money and execute a mortgage on  
4 the lot and building, not exceeding one-half the value thereof, and the  
5 money so obtained shall be used exclusively in the completion of said  
6 building. The levy of a tax hereunder shall not constitute a part of the  
7 general tax of the city, nor shall it effect any appropriation made or to be  
8 made for the support of the library. This act shall not apply to any city  
9 in this State having over one hundred thousand inhabitants.





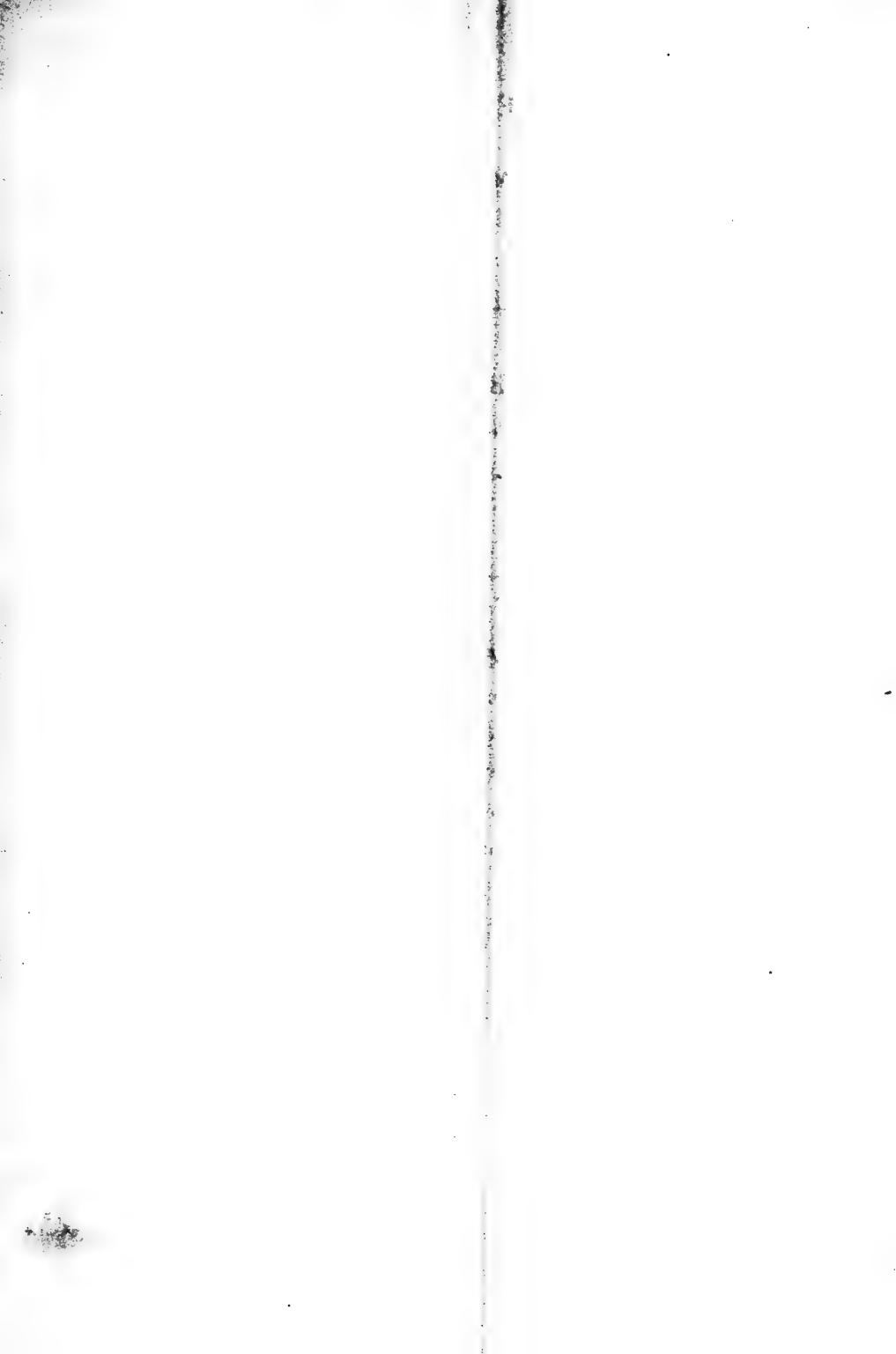
1. Introduced by Mr. Hamer, May 13, 1891, and ordered to a first reading.
  2. First reading May 13, 1891, and ordered to second reading without reference.
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## A BILL

For an act to allow directors of schools under special laws to assume and provide for indebtedness heretofore created by the authorities of a city for school purposes.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That whenever any city in this State is by special law made a school district, or whenever any school district created by special law shall be coterminous with any city, the directors of such district shall have the power at the request of the city council to assume and provide for, by borrowing and taxation, any indebtedness now existing created by the authorities of the city for school purposes.



1. Introduced by Mr. Arnold, May 13, 1891, and ordered to first reading.
2. First reading May 13, 1891, and referred to Committee on Military.
3. Reported back May 22, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 3, article 1, as amended June 26, 1885, in force July 1, 1885, of an act entitled the "Military Code of Illinois," approved May 28, 1879, in force July 1, 1879.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section 3, of article 1, as amended June 26, 1885, in force July 1, 1885, of an act to provide for the organization of the State militia, and entitled the "Military Code of Illinois," approved May 28, 1879, be and the same is hereby amended so as to read as follows, to-wit:

### ARTICLE I.

Section 3. The active militia shall be designated as the "Illinois National Guard," and shall consist of not more than eighty four companies of infantry, two batteries of artillery and two troops of cavalry, to be organized into brigades, regiments, battalions and companies, and shall be recruited by volunteer enlistments. The Commander-in-Chief may transfer, consolidate, muster out, disband and make such other changes in the organization of the Illinois National Guard from time to time, as the best interests of the service may require.

Enlistments therein shall be for three years, re-enlistments after three years service for one or more years, and will be made by signing enlistment

11 papers, prescribed by the Adjutant-General, and by taking the following  
12 oath or affirmation, which may be administered by any commissioned officer,  
13 to-wit:

14 You do solemnly swear (or affirm) that you will bear true allegiance to  
15 the United States and the State of Illinois, and that you will support the  
16 constitution thereof; that you will serve the State of Illinois faithfully in  
17 its military service, for the term of three years, unless sooner discharged, or  
18 you cease to be a citizen thereof; that you will obey the orders of the  
19 Commander-in-Chief, and such officers as may be placed over you, and the  
20 laws governing the military forces of the State of Illinois, so help you God.

1. Introduced by Mr. Secret, May 13, 1891, and ordered to first reading.
2. First reading May 13, 1891, and ordered to second reading without reference.

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## A BILL

For an act to provide for the necessary expenses of the State government, incurred or to be incurred, for printing paper and stationery, and now unprovided for, until the first day of July, A. D. 1891.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of three thousand dollars (\$3,000), or so much thereof as may be necessary, be and the same is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to meet the necessary expenses of the State government, incurred or to be incurred, for the purpose herein specified, and now unprovided for, until the first day of July, A. D. 1891, to-wit:

For the purchase on contract as required by law, and other necessary expenses connected therewith, of printing paper and stationery for the use of the General Assembly and the executive departments, payable on bills of particulars certified to by the Board of State Contracts and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the Treasurer for the sum hereby appropriated

3 upon the presentation of proper vouchers, and the State Treasurer shall pay  
4 the same out of any funds not otherwise appropriated.

§ 3. Whereas, the sum hereby appropriated is necessary for the transac-  
2 tion of the business of the State prior to July first next, therefore an  
3 emergency is declared to exist, and this act shall take effect from and after  
4 its passage.

1. Introduced by Mr. McDonald, May 13, 1891, and ordered to first reading.
2. First reading May 13, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments May 15, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section 32 of an act entitled "An act to revise the law in relation to circuit courts and the superior court of Cook county," approved February 16, 1874, in force July 1, 1874.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section thirty-two of an act entitled "An act  
3 to revise the law in relation to circuit courts and the superior court of  
4 Cook county," approved February 16, 1874, in force July 1, 1874, be and the  
5 same is hereby amended so as to read as follows:

Section 32. The several judges of said courts shall have power, in vacation,  
2 to hear and determine motions to dissolve injunctions, stay or quash execu-  
3 tions, (appoint receivers, vacate sales,) to make all necessary orders to carry  
4 into effect any decree previously entered, including the issuance of the  
5 necessary writs therefor, to order the issuance of writs of certiorari, to  
6 permit amendments in any process, pleading, proceeding in law or equity.  
7 Any order so made shall be signed by the judge making it, and filed and  
8 entered of record by the clerk of the court in which the proceeding is had,  
9 and from the date of such filing shall have like force and effect as if made  
10 at a regular term of said court. The pendency of a term of court in  
11 another county than that in which the suit is pending or about to be

19 commenced, by the same judge, shall not prevent the granting of such  
18 order.

§ 2. All acts and parts of acts in conflict with this act are hereby  
2 repealed.

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### AMENDMENTS TO SENATE BILL No. 403.

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1.° Amend by striking out section 2.

2. Amend by adding to section one the following words: "Any order so  
made may, for good cause shown, be set aside, modified or excepted to at the  
next term of the court, upon motion filed, of which motion the opposite party  
or his attorney shall have reasonable notice."



1. Introduced by Mr. Hamer May 14, 1891, and ordered to first reading.
2. First reading May 14, 1891, and referred to Committee on Expenses of General Assembly.
3. Reported back May 21, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to appropriate the sum of one hundred and fifty-four dollars, to pay Patrick Ferron and R. S. Donaldson, the sum of seventy-seven dollars each, for services rendered during the sitting of the Thirty-seventh General Assembly, 1891.

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WHEREAS, the Senate did on the 26th day of March 1891, by resolution increase the pay of Patrick Ferron and R. S. Donaldson from two to three dollars per day, said increase to date back to include the 7th day of January 1891, and:

WHEREAS, the Auditor of Public Accounts for the State of Illinois refused to draw his warrant for any sum occurring prior to the passage of said resolution, without a special appropriation for that purpose; therefore

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the sum of one hundred and fifty-four dollars be and the same is hereby appropriated to pay said indebtedness, and the Auditor of Public Accounts be authorized and directed to draw his warrants on the State Treasurer for each of the above amounts, payable to each of the above named persons as set forth above, and the Treasurer be authorized to pay the same out of any money on hand not otherwise appropriated.

1921 100

1921 100

1921 100

1921 100

1921 100

1921 100

1921 100

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1. Introduced by Mr. O'Malley May 14, 1891, and ordered to first reading.
  2. First reading May 14, 1891, and ordered to second reading without reference.

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## A BILL

For an act to prohibit the sending of minors for the procuring of intoxicating liquors.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever, being parent or guardian, or having the care and control of a minor, shall send or permit such minor to enter any place where intoxicating liquors are sold, for the purpose of obtaining intoxicating liquors; or whoever, not being parent or guardian, or not having the care or control of a minor, as aforesaid, shall send or employ any minor to enter any place where intoxicating liquors are sold for the purpose of obtaining intoxicating liquors, shall, for each offense, be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100), or be imprisoned in the county jail not less than ten nor more than thirty days, or both, according to the nature of the offense.

100

1. Introduced by Mr. O'Connor May 14, 1891, and ordered to first reading.
  2. First reading May 14, 1891, and ordered to second reading without reference.
- 

## A BILL

For an act to amend section thirty-one (31) of article three (3) of an act entitled  
"An act to establish and maintain a system of free schools," approved and  
in force May 21, 1889.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That section 31 of article 3 of an act entitled "An  
3 act to establish and maintain a system of free schools," approved and in  
4 force May 21, 1889, be and the same is hereby amended so as to read as  
5 follows:

Section 31. The trustees of schools in each township in the State may  
2 receive any gift, grant, donation or devise made for the use of any school  
3 or schools, or library, or other school purposes within their jurisdiction,  
4 and they shall be and are hereby invested in their corporate capacity with  
5 the title, care and custody of all school houses and school house sites, but  
6 the supervision and control of such school houses and school house sites  
7 shall be vested in the board of directors of the district.

8 The trustees of schools of townships in which township high schools have  
9 been or shall hereafter be established, and the corporate authorities  
10 of all high schools established under any general or special law of  
11 this State shall have power to accept gifts, grants, donations, devises, be  
12 quests and trusts for the establishment or support of manual training

13 schools in their respective townships or districts, and when any such school  
14 is so established the directors, board of education or corporate authorities  
15 having charge thereof shall have power to provide for the support thereof  
16 and to pay the necessary expense of maintaining the same out of the funds  
17 within their control applicable to the payment of teachers, the maintenance  
18 of schools and payment of the expenses thereof.

1. Introduced by Mr. Evans, May 14, 1891, and ordered to first reading.
2. First reading May 14, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments May 15, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend section five of article eleven of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That section five of article eleven of an act en-  
3 titled "An act to provide for the incorporation of cities and villages," ap-  
4 proved April 10, 1872, be amended by adding thereto after the word "not"  
5 in the third line of said section five, and before the word "included,"  
6 the following: "Wholly included within the limits of an incorporated town  
7 existing by virtue of a special charter or," and by inserting after the word  
8 "city" in the fourth line of said section the following: "organized under the  
9 general law," so as to read: "Whenever any area of contiguous territory,  
10 not exceeding two square miles, shall have resident thereon a population of  
11 at least three hundred inhabitants, and which territory is not wholly in-  
12 cluded within the limits of an incorporated town, existing by virtue of a  
13 special charter or included within the limits of any incorpo-  
14 rated town, village or city organized under the general law,  
15 the same may become incorporated as a village under this

act in the manner following: Any thirty legal voters resident within the limits of such proposed village may petition the county judge of the county in which they reside to cause the question to be submitted to the legal voters of such proposed village, whether they will organize as a village under this act, and if the territory described in said petition shall be situated in more than one county, then the petition shall be addressed to the judge of the county court of the county where a greater part of such territory is situated. Such petition shall be addressed to the county judge and contain a definite description of the land intended to be embraced in such village, the number of inhabitants resident thereon, and the name of such proposed village."

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#### AMENDMENTS TO SENATE BILL NO. 410.

Amend by striking out all after the word "amended" to and including the word "law" in the 6th line from the bottom of first page. [Original bill.]



1. Introduced by Mr. Thiele, May 15, 1891, and ordered to first reading.
2. First reading May 15, 1891, and ordered to second reading without reference.

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## A BILL

For an act to amend article 3 of an act entitled "An act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, and in force July 1, 1885, by adding certain sections thereto to be known as sections 32, 33, 34, 35 and 36.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That article three (3) of an act entitled "An act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, and in force July 1, 1885, be and the same is hereby amended by adding thereto certain sections, to be known as sections 32, 33, 34, 35 and 36, and which shall read as follows:

Section 32. Any legal voter may, within the fifteen days preceding the day before the last day of registration prior to any election at which the provisions of the said act are applicable apply to be registered as a qualified voter to the board of election commissioners provided for in said act, at their office, and thereupon said board or two of their clerks being severally members of the two leading political parties of the State shall perform all duties and make all entries in respect to such application as by said act the board of registry may do on the days of registration, such entries to be made in the precinct registry books.

Section 33. The clerk of election shall perform all duties in reference to persons so applying and marked "qualified" as is provided for persons marked "qualified" by the board of registry, and the board of registry and revision shall perform the same duties and have the same powers as a board of revision as to such persons as by law provided in respect to persons marked "qualified" by the board of registry.

Section 34. Appeals shall be allowed from the action of such clerks to the board of election commissioners within four days, and from the board of election commissioners to the county court within four days, in substantially the same manner as appeals are allowed by the said act in respect to the action of the board of registration and revision.

Section 35. There shall be made out at the end of each week and furnished for publication to the newspapers of such city, village or town, on request, lists of persons marked "qualified" in the office of said board of election commissioners during such week, showing the full name and residence, and such other information as may seem to the board proper.

Section 36. The persons to be examined and marked as "qualified" in said office shall be so treated by the board of registration, revision and election the same as if so examined and marked "qualified" by the board of registration, but subject to inquiry by the clerks of election, as are such last described persons.

- 
1. Introduced by Mr. Leeper, May 19, 1891, and ordered to first reading.
  2. First reading May 19, 1891, and ordered to second reading without reference.
- 

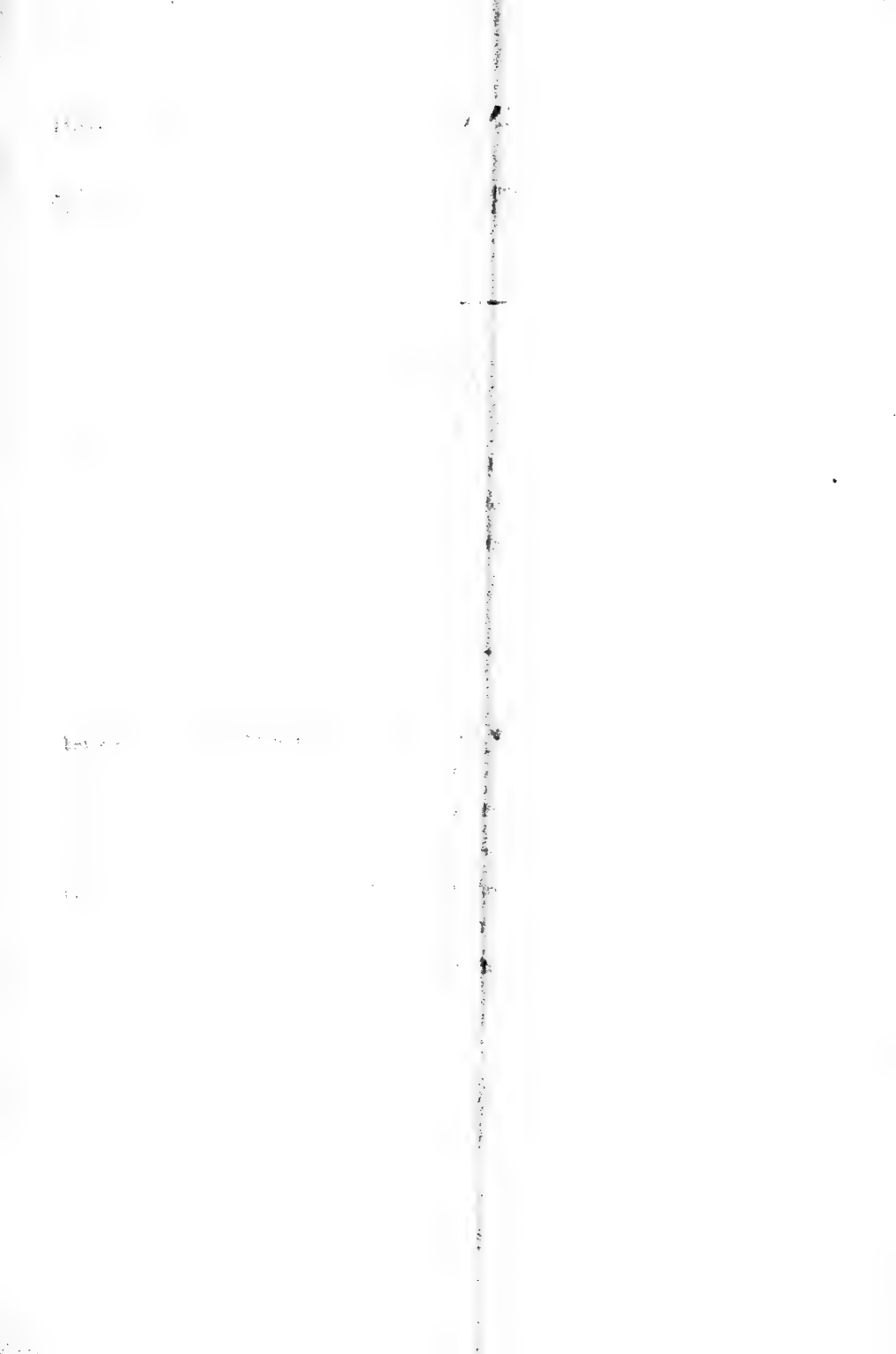
## A BILL

For an act to amend section one of an act entitled "An act to amend an act entitled 'An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named,'" approved March 26, 1874, in force July 1, 1874, approved June 29, 1885 in force July 1, 1885.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one of an act to amend an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, approved June 29, 1885, in force July 1, 1885, be amended to read as follows:

Cass. on the third Monday of January and the first Monday of July.



1. Introduced by Mr. Leeper, May 19, 1891, and ordered to first reading.
2. First reading May 19, 1891, and ordered to second reading without reference.
3. Second reading May 27, 1891, amended and ordered to a third reading.

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## A BILL

For an act to amend section one of an act entitled "An act to amend an act entitled 'An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named,'" approved March 26, 1874, in force July 1, 1874, approved June 29, 1885, in force July 1, 1885.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That* section one of an act to amend an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, approved June 29, 1885, in force July 1, 1885, be amended to read as follows:

Cass, on the first Mondays of January and July.

10/10/1

10/10/1

Introduced by Mr. C. H. Crawford May 19, 1891, and ordered to first reading.

2. First reading May 19, 1891, and ordered to second reading without reference.

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## A BILL

For an act to amend section seventeen (17), of article six (VI), of an act entitled  
"An act to establish and maintain a system of free schools," approved and  
in force May 21, 1880.

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SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly.* That section seventeen (17) of article six (VI) of  
3 "An act to establish and maintain a system of free schools," be and the  
4 same is hereby amended to read as follows.

Section 1. In cities having a population exceeding one hundred thousand  
9 inhabitants from and after this act shall take effect, the board of education  
3 shall consist of twenty-one members, to be appointed by the mayor, by and  
4 with the advise and consent of the common council, seven of whom shall  
5 be appointed for the term of one year, seven for the term of two years, and  
6 seven for the term of three years: *Provided, however,* that in such cities  
7 wherein there is now a board of education, holding their office by  
8 appointment, such officers shall continue in office until the time at which  
9 their term would have expired under the law in force at the time of their  
10 appointment. At the expiration of the term of any member of said board,

11 their successors shall be appointed in the manner and shall hold their  
12 office for the term of three years. Any vacancies which may occur shall be  
13 filled by the appointment of the mayor with the approval of the common  
14 council for the unexpired term: *And provided, further,* that from and after  
15 this act shall take effect there shall be appointed by the mayor by and with  
16 the advise and consent of the common council six members, two of whom  
17 shall be appointed for the term of one year, two for the term of two years  
18 and two for the term of three years.



- 
1. Introduced by Mr. Chas. H. Crawford May 20, 1891, and ordered to first reading.
  2. First reading May 20, 1891, and referred to Committee on Revenue.
  3. Reported back May 20, 1891, passage recommended, and ordered to second reading.
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## A BILL

For an act to amend section 1 of article 8 of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That section one (1) of an act entitled "An act for  
3 the incorporation of cities and villages," approved April 10, 1872, be and it  
4 is hereby amended so as to read as follows:

Section 1. The city council in cities, and boards of trustees in villages  
2 may levy and collect taxes for corporate purposes in the manner following:  
3 The city council or boards of trustees, as the case may be, shall annually,  
4 on or before the third (3d) Tuesday in September in each year, ascertain  
5 the total amount of appropriations for all corporate purposes legally made,  
6 and to be collected from the tax levy of that fiscal year; and by an ordi-  
7 nance, specifying in detail the purposes for which such appropriations are  
8 made, and the sum or amount appropriated for each purpose respectively,  
9 levy the amount so ascertained upon all the property subject to taxation  
10 within the city or village, as the same is assessed and equalized for State  
11 and county purposes for the current year. A certified copy of such ordi-  
12 nance shall be filed with the county clerk of the proper county, whose duty  
13 it shall be to ascertain the rate per cent. which, upon the total valuation

14 of all property subject to taxation within the city or village, as the same  
15 is assessed and equalized for State and county purposes, will produce a net  
16 amount not less than the amount so directed to be levied; and it shall be  
17 the duty of the county clerk to extend such tax in a separate column upon  
18 the book or books of collector or collectors of State and county taxes,  
19 within such city or village: *Provided, the aggregate amount of taxes levied for*  
20 *any one year, exclusive of the amount levied for the payment of bonded indebted-*  
21 *ness, or the interest thereon, shall not exceed the rate of two (2) per centum*  
22 *upon the aggregate valuation of all property within such city or village,*  
23 *subject to taxation therein, as the same was equalized for State and county*  
24 *taxes of the preceding year (except in the year 1892, in which year the said*  
25 *limit of taxation shall be three (3) per centum instead of two (2) per centum.)*

1. Introduced by Mr. Charles H. Crawford May 20, 1891, and ordered to first reading.
2. First reading May 20, 1891, and referred to Committee on Revenue.
3. Reported back May 20, 1891, passage recommended, and ordered to second reading.
4. May 27, 1891, amended and read a second time and ordered to a third reading.

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## A BILL

For an act to amend section 1 of article 8 of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872, as amended by act approved May 28, 1879, in force July 1, 1879.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That section one (1) of an act entitled "An act for the incorporation of cities and villages," approved April 10, 1872, as amended by act approved May 28, 1879, in force July 1, 1879, be and it is hereby amended so as to read as follows:

Section 1. The city council in cities, and boards of trustees in villages, may levy and collect taxes for corporate purposes in the manner following: The city council or the board of trustees, as the case may be, shall annually, on or before the third (3d) Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made, and to be collected from the tax levy of that fiscal year; and by an ordinance, specifying in detail the purposes for which such appropriations are made, and the sum or amount appropriated for each purpose respectively, levy the amount so ascertained upon all the property subject to taxation within the city or village, as the same is assessed and equalized for State

11 and county purposes for the current year. A certified copy of such ordi-  
12 nance shall be filed with the county clerk of the proper county, whose duty  
13 it shall be to ascertain the rate per cent. which, upon the total valuation  
14 of all property subject to taxation within the city or village, as the same  
15 is assessed and equalized for State and county purposes, will produce a net  
16 amount not less than the amount so directed to be levied; and it shall be  
17 the duty of the county clerk to extend such tax in a separate column upon  
18 the book or books of collector or collectors of State and county taxes,  
19 within such city or village: *Provided*, the aggregate amount of taxes levied for  
20 any one year, exclusive of the amount levied for the payment of bonded  
21 indebtedness, or the interest thereon, shall not exceed the rate of two (2)  
22 per centum upon the aggregate valuation of all property within such city or  
23 village, subject to taxation therein, as the same was equalized for State and  
24 county taxes of the preceding year (*except in the years 1892 and 1893, for each*  
25 *of which years the said limit of taxation shall be two and three-tenths (2 3/10)*  
26 *per centum instead of two (2) per centum*).

1. Introduced by Mr. Chas. H. Crawford, May 21, 1891, and ordered to first reading.
2. First reading May 21, 1891, and referred to Committee on Judicial Department and Apportionment.
3. Reported back with amendments May 21, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to amend section one as amended March 30, 1887, approved and in force March 30, 1887, of an act entitled "An act to amend section one of article five of 'An act to provide for the incorporation of cities and villages,'" approved April 30, 1872, and in force July 1, 1872, by adding provisions relating to elevated railroads and their branches, and to legalize ordinances passed authorizing or permitting the construction of such railroads over, in, upon and along streets, avenues, alleys and public places.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

- 2 *in the General Assembly*, as follows: That section one as amended March 30,  
3 1887, approved and in force March 30, 1887, of an act entitled "An act to  
4 amend section one of article five of 'An act to provide for the incorporation  
5 of cities and villages,'" approved April 30, 1872, and in force July 1, 1872, be  
6 amended so as to read as follows, namely:

Section 1. The city council in cities, and president and board of trustees  
2 in villages, shall have the following powers:

- 3 First. To control the finances and property of the corporation.
- 4 Second. To appropriate money for corporate purposes only, and provide  
5 for payment of debts and expenses of the corporation.

6 Third. To levy and collect taxes for general and special purposes on real  
7 and personal property.

8 Fourth. To fix the amount, terms and manner of issuing and revoking  
9 licenses.

10 Fifth. To borrow money on the credit of the corporation for corporate  
11 purposes, and issue bonds therefor, in such amounts and form and on such  
12 conditions as it shall prescribe, but shall not become indebted in any man-  
13 ner or for any purpose to an amount, including existing indebtedness, in the  
14 aggregate to exceed five (5) per centum on the value of the taxable property  
15 therein, to be ascertained by the last assessment for the State and county  
16 taxes previous to the incurring of such indebtedness; and before or at the  
17 time of incurring any indebtedness shall provide for the collection of a direct  
18 annual tax sufficient to pay the interest on such debt as it falls due, and  
19 also to pay and discharge the principal thereof within twenty years after  
20 contracting the same.

21 Sixth. To issue bonds in place of or to supply means to meet maturing  
22 bonds, or for the consolidation or funding of the same.

23 Seventh. To lay out, to establish, open, alter, widen, extend, grade, pave  
24 or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and  
25 public grounds, and vacate the same.

26 Eighth. To plant trees upon the same.

27 Ninth. To regulate the use of the same.

28 Tenth. To prevent and remove encroachments or obstructions upon the  
29 same.

30 Eleventh. To provide for the lighting of the same.

31 Twelfth. To provide for the cleaning of the same.

32 Thirteenth. To regulate the openings therein for the laying of gas or  
33 water mains and pipes, and the building and repairing of sewers, tunnels  
34 and drains and erecting gas lights: *Provided, however,* that any company  
35 heretofore organized under the general laws of this State, or any association

36 of persons organized, or which may be hereafter organized, for the purpose  
 37 of manufacturing illuminating gas to supply cities or villages, or the inhab-  
 38 itants thereof with the same, shall have the right, by consent of the com-  
 39 mon council (subject to existing rights), to erect gas factories, and lay down  
 40 pipes in the streets or alleys of any city or village in this State subject to  
 41 such regulations as any such city or village may by ordinance impose.

42 Fourteenth. To regulate the use of sidewalks and all structures there-  
 43 under, and to require the owner or occupant of any premises to keep the  
 44 sidewalks in front of or along the same free from snow and other obstruc-  
 45 tions.

46 Fifteenth. To regulate and prevent the throwing or depositing of ashes,  
 47 offal, dirt, garbage, or any offensive matter in and to prevent injury to any  
 48 street, avenue, alley, or public ground.

49 Sixteenth. To provide for and regulate crosswalks, curbs and gutters.

50 Seventeenth. To regulate and prevent the use of streets, sidewalks and  
 51 public grounds for signs, sign posts, awnings, awning posts, telegraph poles,  
 52 horse troughs, racks, posting hand bills and advertisements.

53 Eighteenth. To regulate and prohibit the exhibition or carrying of ban-  
 54 ners, placards, advertisements or hand bills in the streets or public grounds  
 55 or upon the sidewalks.

56 Nineteenth. To regulate and prevent the flying of flags, banners or signs  
 57 across the streets or from houses.

58 Twentieth. To regulate traffic and sales upon the streets, sidewalks  
 59 and public places.

60 Twenty-first. To regulate the speed of horses and other animals, vehicles,  
 61 cars and locomotives within the limits of the corporation.

62 Twenty-second. To regulate the numbering of houses and lots.

63 Twenty-third. To name and change the name of any street, avenue, alley  
 64 or other public place.

65 Twenty-fourth. To permit, regulate or prohibit the locating, constructing  
 66 or laying the track of any horse railroads in any street, alley or public  
 67 place; but such permission shall not be for a longer time than twenty years:  
 68 *Provided*, that the foregoing limitation shall not apply to elevated railroads  
 69 or their surface branches which have been, or which may hereafter be, con-  
 70 structed, leased or purchased by companies incorporated under the law for  
 71 the incorporation of railroad companies.

72 Twenty-fifth. To provide for and change the location, grade and crossings  
 73 of any railroad.

74 Twenty-sixth. To require railroad companies to fence their respective rail-  
 75 roads, or any portion of the same, and to construct cattle guards, crossings  
 76 of streets and public roads, and keep the same in repair, within the limits  
 77 of the corporation. In case any railroad company shall fail to comply with  
 78 any such ordinance, it shall be liable for all damages the owner of any cat-  
 79 tle or horses or other domestic animal may sustain by reason of injuries  
 80 thereto while on the track of such railroad, in like manner and extent as  
 81 under the general laws of this State, relative to the fencing of railroads;  
 82 and actions to recover such damages may be instituted before any justice  
 83 of the peace or other court of competent jurisdiction.

84 Twenty-seventh. To require railroad companies to keep flagmen at rail-  
 85 road crossings of streets, and provide protection against injury to persons  
 86 and property in the use of such railroads. To compel such railroads to  
 87 raise or lower their railroad tracks to conform to any grade which may, at  
 88 any time, be established by such city, and where such tracks run length-  
 89 wise of any such street, alley or highway, to keep their railroad tracks on  
 90 a level with the street surface, and so that such tracks may be crossed at  
 91 any place on such street, alley or highway. To compel and require railroad  
 92 companies to make and keep open and to keep in repair ditches, drains,  
 93 sewers and culverts along and under their railroad tracks so that filthy or



94 stagnant pools of water cannot stand on their grounds or right of way, and  
 95 so that the natural drainage of adjacent property shall not be impeded.

96 Twenty-eighth. To construct and keep in repair, bridges, viaducts and  
 97 tunnels, and to regulate the use thereof.

98 Twenty-ninth. To construct and keep in repair culverts, drains, sewers,  
 99 and cesspools and to regulate the use thereof.

100 Thirtieth. To deepen, widen, dock, cover, wall, alter or change channel of  
 101 water courses.

102 Thirty-first. To construct and keep in repair canals and slips for the ac-  
 103 commodation of commerce.

104 Thirty-second. To erect and keep in repair public landing places, wharves,  
 105 docks and levees.

106 Thirty-third. To regulate and control the use of public and private  
 107 landing places, wharves, docks and levees.

108 Thirty-fourth. To control and regulate the anchorage, moorage and land-  
 109 ing of all water craft and their cargoes within the jurisdiction of the cor-  
 110 poration.

111 Thirty-fifth. To license, regulate and prohibit wharf boats, tugs and  
 112 other boats used about the harbor, or within such jurisdiction.

113 Thirty-sixth. To fix the rate of wharfage and dockage.

114 Thirty-seventh. To collect wharfage and dockage from all boats, rafts or  
 115 other craft landing at or using any public landing place, wharf, dock or  
 116 levee within the limits of the corporation.

117 Thirty-eighth. To make regulations in regard to use of harbors, towing  
 118 of vessels, opening and passing of bridges.

119 Thirty-ninth. To appoint harbor masters and define their duties.

120 Fortieth. To provide for the cleansing and purification of waters, water  
 121 courses and canals, and the draining or filling of ponds on private property  
 122 whenever necessary to prevent or abate nuisances.

123 **Forty-first.** To license, tax, regulate, suppress and prohibit hawkers, ped-  
 124 dlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions,  
 125 shows and amusements, and to revoke such license at pleasure.

126 **Forty-second.** To license, tax and regulate hackmen, draymen, omnibus  
 127 drivers, carters, cabmen, porters, expressmen, and all others pursuing like  
 128 occupations, and to prescribe their compensation.

129 **Forty-third.** To license, regulate, tax and restrain runners for stages,  
 130 cars, public houses or other things or persons.

131 **Forty-fourth.** To license, regulate, tax or prohibit and suppress billiard,  
 132 bagatelle, pigeon-hole or any other tables or implements kept or used for a  
 133 similar purpose in any place of public resort, pin alleys and ball alleys.

134 **Forty-fifth.** To suppress bawdy and disorderly houses, houses of ill-fame  
 135 or assignation, within the limits of the city and within three miles of the  
 136 outer boundaries of the city: and also to suppress gaming and gambling  
 137 houses, lotteries, and all fraudulent devices and practices, for the purpose  
 138 of gaining or obtaining money or property; and to prohibit the sale or ex-  
 139 hibition of obscene or immoral publications, prints, pictures or illustrations.

140 **Forty-sixth.** To license, regulate and prohibit the selling or giving away  
 141 of any intoxicating, malt, vinous, mixed or fermented liquor, the license not  
 142 to extend beyond the municipals' year in which it shall be granted, and to  
 143 determine the amount to be paid for such license: *Provided*, that the city  
 144 council in cities, or president and board of trustees in villages, may grant  
 145 permits to druggists for the sale of liquors for medicinal, mechanical, sac-  
 146 ramental and chemical purposes only, subject to forfeiture, and under such  
 147 restrictions and regulations as may be provided by ordinance: *Provided*,  
 148 *further*, that in granting licenses, such corporate authorities shall comply  
 149 with whatever general law of the State may be in force relative to the  
 150 granting of licenses.

151 **Forty-seventh.** The foregoing shall not be construed to affect the pro-

152 visions of the charter of any literary institution heretofore granted.

153 Forty-eighth. And the city council in cities, and president and board of  
154 trustees in villages, shall also have the power to forbid and punish the  
155 selling or giving away of any intoxicating, malt, vinous, mixed or fermented  
156 liquor to any minor, apprentice or servant, or insane, idiotic or distracted  
157 person, habitual drunkard, or person intoxicated.

158 Forty-ninth. To establish markets and market houses, and provide for  
159 the regulation and use thereof.

160 Fiftieth. To regulate the sale of meats, poultry, fish, butter, cheese, lard,  
161 vegetables, and all other provisions, and to provide for place and manner  
162 of selling the same.

163 Fifty-first. To prevent and punish forestalling and regrating.

164 Fifty-second. To regulate the sale of bread in the city or village; pre-  
165 scribe the weight and quality of the bread in the loaf.

166 Fifty-third. To provide for and regulate the inspection of meats, poultry,  
167 fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other  
168 provisions.

169 Fifty-fourth. To regulate the inspection, weighing and measuring of  
170 brick, lumber, firewood, coal, hay, and any article of merchandise.

171 Fifty-fifth. To provide for the inspection and sealing of weights and  
172 measures.

173 Fifty-sixth. To enforce the keeping and use of proper weights and meas-  
174 ures by venders.

175 Fifty-seventh. To regulate the construction, repairs and use of vaults,  
176 cisterns, areas, hydrants, pumps, sewers and gutters.

177 Fifty-eighth. To regulate places of amusement.

178 Fifty-ninth. To prevent intoxication, fighting, quarreling, dog fights,  
179 cock fights, and all disorderly conduct.

180 Sixtieth. To regulate partition fences and party walls.

181 Sixty-first. To prescribe the thickness, strength and manner of construct-

182 ing stone, brick and other buildings, and construction of fire escapes  
183 therein.

184 Sixty-second. The city council, and the president and trustees in vil-  
185 lages, for the purpose of guarding against the calamities of fire, shall have  
186 power to prescribe the limits within which wooden buildings shall not be  
187 erected or placed, or repaired, without permission, and to direct that all  
188 and any buildings, within the fire limits, when the same shall have been  
189 damaged by fire, decay or otherwise, to the extent of fifty per cent. of the  
190 value, shall be torn down or removed, and to prescribe the manner of as-  
191 certaining such damage.

192 Sixty-third. To prevent the dangerous construction and condition of  
193 chimneys, fire-places, hearths, stoves, stove pipes, ovens, boilers and appar-  
194 atus, used in and about any building and manufactory, and to cause the  
195 same to be removed or placed in a safe condition, when considered dan-  
196 gerous; to regulate and prevent the carrying on of manufactories danger-  
197 ous in causing and promoting fires; to prevent the deposit of ashes in un-  
198 safe places, and to cause all such buildings and enclosures as may be in a  
199 dangerous state to be put in a safe condition.

200 Sixty-fourth. To erect engine houses, and provide fire engines, hose carts,  
201 hooks and ladders, and other implements for prevention and extinguish-  
202 ment of fires, and provide for the use and management of the same by vol-  
203 untary fire companies or otherwise.

204 Sixty-fifth. To regulate and prevent storage of gunpowder, tar, pitch,  
205 resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum,  
206 or any of the products thereof, and other combustible or explosive ma-  
207 terial, and the use of lights in stable, shops and other places, and the  
208 building of bonfires; also to regulate and restrain the use of fireworks, fire-  
209 cracker, torpedoes, Roman candles, sky-rockets, and other pyrotechnic dis-  
210 plays.

211 Sixty-sixth. To regulate the police of the city or village, and pass and

212 enforce all necessary police ordinances.

213 Sixty-seventh. To provide for the inspection of steam boilers.

214 Sixty-eighth. To prescribe the duties and powers of a superintendent of  
215 police, policemen and watchmen.

216 Sixty-ninth. To establish and erect calabosses, bridewells, houses of cor-  
217 rection and workhouses for the reformation and confinement of vagrants,  
218 idle and disorderly persons, and persons convicted of violating any city or  
219 village ordinance, and make rules and regulations for the government of  
220 the same, and appoint necessary keepers and assistants.

221 Seventieth. To use the county jail for the confinement or punishment of  
222 offenders, subject to such conditions as are imposed by law, and with the  
223 consent of the county board.

224 Seventy-first. To provide by ordinance in regard to the relation between  
225 all officers and employees of the corporation in respect to each other, the  
226 corporation and the people.

227 Seventy-second. To prevent and suppress riots, routs, affrays, noises, dis-  
228 turbances, disorderly assemblies in any public or private place.

229 Seventy-third. To prohibit and punish cruelty to animals.

230 Seventy-fourth. To restrain and punish vagrants, mendicants and prosti-  
231 tutes.

232 Seventy-fifth. To declare what shall be a nuisance and to abate the  
233 same; and to impose fines upon parties who may create, continue or suffer  
234 nuisances to exist.

235 Seventy-sixth. To appoint a board of health and prescribe its powers  
236 and duties.

237 Seventy-seventh. To erect and establish hospitals and medical dispen-  
238 saries and control and regulate the same.

239 Seventy-eighth. To do all acts, make all regulations which may be nec-  
240 essary or expedient for the promotion of health or the suppression of dis-  
241 ease.

242 Seventy-ninth. To establish and regulate cemeteries within or without  
 243 the corporation, and acquire lands therefor, by purchase or otherwise, and  
 244 cause cemeteries to be removed and prohibit their establishment within one  
 245 mile of the corporation.

246 Eightieth. To regulate, restrain and prohibit the running at large of  
 247 horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on  
 248 dogs.

249 Eighty-first. To direct the location and regulate the management and  
 250 construction of packing houses, renderies, tallow chandleries, bone factories,  
 251 soap factories, and tanneries within the limits of the city or village, and  
 252 within the distance of one mile without the city or village limits.

253 Eighty-second. To direct the location and regulate the use and construc-  
 254 tion of breweries, distilleries, livery stables, blacksmith shops and foundries  
 255 within the limits of the city or village.

256 Eighty-third. To prohibit any offensive or unwholesome business or es-  
 257 tablishment within or within one mile of the limits of the corporation.

258 Eighty-fourth. To compel the owner of any grocery, cellar, soap or tal-  
 259 low chandlery, tannery, stable, pig-sty, privy, sewer, or other unwholesome  
 260 or nauseous house or place, to cleanse, abate, or remove the same, and to  
 261 regulate the location thereof.

262 Eighty-fifth. The city council or trustees of a village shall have power  
 263 to provide for the taking of the city or village census; but no city or vil-  
 264 lage census shall be taken by authority of the council or trustees oftener  
 265 than once in three years.

266 Eighty-sixth. To provide for the erection and care of all public buildings  
 267 necessary for the use of the city or village.

268 Eighty-seventh. To establish ferries, toll bridges and license and regu-  
 269 late the same, and from time to time fix tolls thereon.

270 Eighty-eighth. To authorize the construction of mills, mill-races and

271 feeders on, through or across the streets of the city or village, at such  
272 places and under such restrictions as they shall deem proper.

273 Eighty-ninth. The city council shall have power, by condemnation or  
274 otherwise, to extend any street, alley or highway over or across, or to con-  
275 struct any sewer under or through any railroad track, right of way, or land  
276 of any railroad company (within the corporate limits); but where no com-  
277 pensation is made to such railroad company, the city shall restore such  
278 railroad track, right of way, or land to its former state, or in a sufficient  
279 manner not to have impaired its usefulness.

280 Ninetieth. The city council or board of trustees shall have no power to  
281 grant the use of or the right to lay down any railroad track in any street  
282 of the city to any steam, dummy, electric, cable, horse or other railroad  
283 company, whether the same shall be incorporated under any general or  
284 special law of the State, now or hereafter in force, except upon the petition  
285 of the owners of the land representing more than one-half of the frontage  
286 of the street, or so much thereof as is sought to be used for railroad pur-  
287 poses, and when the street or part thereof sought to be used shall be more  
288 than one mile in extent, no petition of land owners shall be valid unless  
289 the same shall be signed by the owners of the land representing more than  
290 one-half of the frontage of each mile and of the fraction of a mile if any  
291 in excess of the whole miles measuring from the initial point named in  
292 such petition, or such street or of the part thereof sought to be used for  
293 railroad purposes: *Provided*, that the provisions of the foregoing paragraph  
294 shall not apply to elevated railroads or their branches which have been  
295 constructed or which may hereafter be constructed by companies incorpo-  
296 rated under the law of this State for the incorporation of railroad com-  
297 panies, when said elevated railroads or their branches are so constructed  
298 as not to interfere seriously with the ordinary use of the surface of the  
299 street, avenue, alley or public place upon, in, along and over which the

300 same is constructed, and when such companies shall satisfy by purchase,  
 301 condemnation proceeding, or otherwise, all damages which may be caused  
 302 to owners of property upon, in or along that portion thereof upon which  
 303 such elevated railroads and their branches are or may be constructed and  
 304 operated, such satisfaction by purchase shall be made or condemnation pro-  
 305 ceedings begun within six months from the date of commencing the con-  
 306 struction of such railway upon, in or along any of the respective streets,  
 307 avenues, alleys or public places, the use to which or the right to construct  
 308 and operate any such railway upon, in or along the same shall have been  
 309 granted: *Provided, further,* that no right license or ordinance heretofore  
 310 granted, or which may hereafter be granted to any such elevated railroads  
 311 and branches shall remain in force beyond a period of ninety-nine years  
 312 from the granting thereof.

313 Ninety-first. That any and all ordinances heretofore granted to any cor-  
 314 porations organized and existing under and by virtue of the laws of this  
 315 State providing for the incorporation of railroad companies, the right to  
 316 build, construct and operate elevated railroads and their branches in, upon  
 317 along, or over streets, avenues, alleys and public places without a petition  
 318 or petitions from the owners of property fronting and abutting such streets,  
 319 alleys, avenues, and public places, said ordinances and each of them are  
 320 hereby legalized: *Provided,* that this paragraph shall not in any wise relieve  
 321 said railroad companies from any liability to abutting owners for damages  
 322 suffered to their abutting real property by reason of the construction and  
 323 operation of said railroads, and such damages may be determined and fixed  
 324 as provided in paragraph ninety hereof.

325 Ninety-second. To tax, license and regulate auctioneers, distilleries,  
 326 brewers, lumber yards, livery stables, public scales, money changers and  
 327 brokers.

328 Ninety-third. To prevent and regulate the rolling of hoops, playing of



329 ball, flying of kites, or any other amusement or practice having a tendency  
 330 to annoy persons passing in the streets or on the sidewalks, or to frighten  
 331 teams and horses.

332 Ninety-fourth. To regulate and prohibit the keeping of any lumber  
 333 yard and the placing or piling or selling any lumber, timber, wood or other  
 334 combustible material within the fire limits of the city.

335 Ninety-fifth. To provide by ordinance that all the paper, printing, sta-  
 336 tionery, blanks, fuel, and all the supplies needed for the use of the city,  
 337 shall be furnished by contract let to the lowest bidder.

338 Ninety-sixth. To tax, license and regulate second-hand and junk stores,  
 339 and to forbid their purchasing or receiving from miners, without the writ-  
 340 consent of their parents or guardians, any article whatsoever.

341 Ninety-seventh. To pass all ordinances, rules, and make all regulations,  
 342 proper or necessary, to carry into effect the powers granted to cities or vil-  
 343 lages, with such fines or penalties as the city council or board of trustees  
 344 shall deem proper: *Provided, no fine or penalties shall exceed two hundred*  
 345 *dollars, and no imprisonment shall exceed six months for one offense.*

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Amend title of bill to read as follows:

## A BILL

For an act to amend section one (1) of article five (5) of an act entitled "An  
 act to provide for the incorporation of cities and villages," approved April  
 10, 1872, and in force July 1, 1872, as amended by the act of March 30,  
 1887, approved and in force March 30, 1887.

Amend section one (1) by striking out and inserting the following:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented*  
2 *in the General Assembly,* That section one (1) of article five (5) of an act en-  
3 titled "An act to provide for the incorporation of cities and villages," ap-  
4 proved April 30, 1872, and in force July 1, 1872, as amended by the act of  
5 March 30, 1887, approved and in force March 30, 1887, be amended so as to  
6 read as follows:

1. Introduced by Mr. Berry, May 20, 1891, and ordered to first reading.
2. First reading May 20, 1891, and ordered to second reading without reference.

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## A BILL

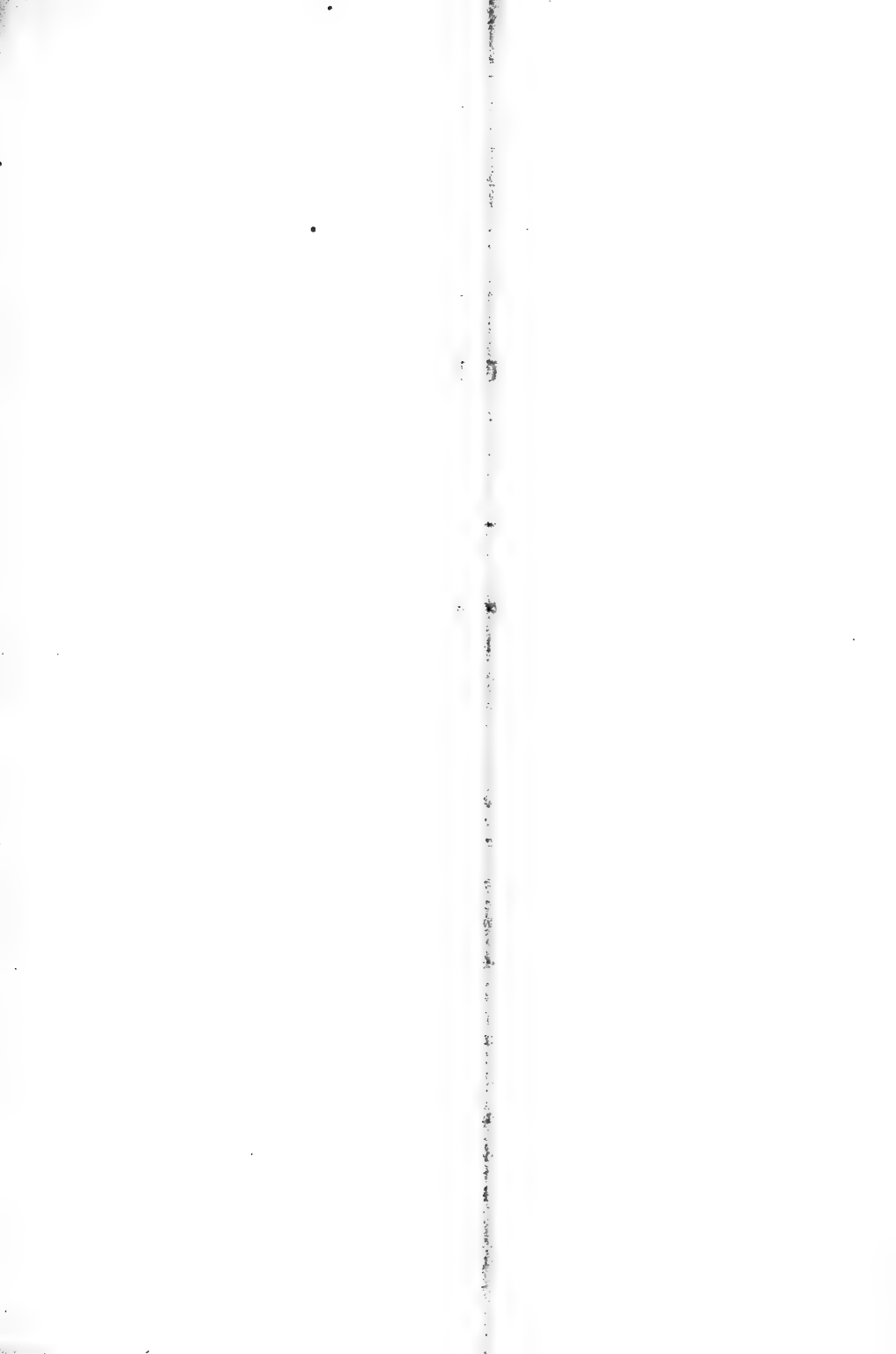
For an act to prevent animals from running at large within the corporate limits of incorporated cities, villages and towns.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That domestic animals of the species of horse, mule, ass, cattle, sheep, goat or swine, shall not be allowed to run at large within the corporate limits of any incorporated city, village or town in this State, any law or ordinance to the contrary notwithstanding.

§ 2. Any owner of any such domestic animal, who shall suffer or allow the same to run at large in any incorporated city, village or town within this State shall be fined in any sum of not less than one dollar nor more than ten dollars for each and every animal so suffered or allowed to run at large, which fine may be recovered before any justice of the peace of the county.

§ 3. Whenever any such domestic animal shall be found running at large contrary to the provisions of this act, the same may be restrained by any resident of the incorporated city, village or town in which the same is found running at large until the fine and costs are paid, and also all damage done by any such domestic animal so running at large, to the property of the person restraining.



1. Introduced by Mr. Mathews, May 27, 1891, and ordered to first reading.
2. First reading May 27, 1891, and referred to Committee on Congressional Apportionment.
3. Reported back June 5, 1891, passage recommended, and ordered to second reading.

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### A BILL

For an act to apportion the State into twenty-two congressional districts and establish the same, and provide for the election of representatives therein.

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#### **Section 1. Be it enacted by the People of the State of Illinois, represented**

2 in the General Assembly. That the State of Illinois be and the same is here-  
3 by apportioned into twenty-two congressional districts, and that the same  
4 are hereby established and shall be respectively composed as herein set  
5 forth: •

6 The first district shall be composed of the second, third, fourth, thirty-  
7 second, thirty-third and thirty-fourth wards in the city of Chicago.

8 The second district, of the first, seventh, seventeenth, eighteenth, nine-  
9 teenth and twenty-third wards in the city of Chicago, and that part of the  
10 twentieth ward in the city of Chicago lying south of North avenue, and  
11 that part of the sixteenth ward in the city of Chicago lying north of  
12 Milwaukee avenue.

13 The third district, of the fifth, sixth, eighth, twenty-ninth and thirtieth  
14 wards in the city of Chicago.

15 The fourth district, of the eleventh, thirteenth, fourteenth and fifteenth  
 16 wards in the city of Chicago, and that part of the sixteenth ward in the  
 17 city of Chicago lying south of Milwaukee avenue

18 The fifth district, of the ninth, tenth, twelfth, and twenty-eighth wards  
 19 in the city of Chicago, and the towns of Bloom, Orland, Bremen, Lemont,  
 20 Rich, Calumet, Thornton, Worth, Palos, Lyons, Cicero, Riverside and Prov-  
 21 iso in the county of Cook.

22 The sixth district, of that part of the twentieth ward in the city of  
 23 Chicago lying north of North avenue, the twenty-first, twenty-second,  
 24 twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh wards in the  
 25 city of Chicago, and the towns of Evanston, New Trier, Niles, Northfield,  
 26 Maine, Barrington, Palatine, Elk Grove, Schaumburg, Wheeling, Norwood  
 27 Park, Hanover and Leyden in the county of Cook.

28 The seventh district, of the counties of Boone, DeKalb, Kane, Lake and  
 29 McHenry.

30 The eighth district, of the counties of Carroll, JoDavies, Ogle, Stephenson  
 31 and Winnebago.

32 The ninth district, of the counties of Bureau, Henry, Lee, Putnam,  
 33 Whiteside, Marshall and Woodford.

34 The tenth district, of the counties of LaSalle, Kendall, Grundy, Livingston  
 35 and Ford.

36 The eleventh district, of the counties of DuPage, Will, Kankakee and  
 37 Iroquois.

38 The twelfth district of the counties of Fulton, Knox, Peoria and Stark.

39 The thirteenth district, of the counties of Rock Island, Mercer, Henderson,  
 40 Warren, Hancock, McDonough and Schuyler.

41 The fourteenth district, of the counties of Cass, Brown, Adams, Pike,  
 42 Scott, Green, Jersey and Calhoun.

43 The fifteenth district, of Tazewell, Mason, Menard, Sangamon, Morgan and  
 44 Christian.

45 The sixteenth district, of the counties of McLean, DeWitt, Piatt, Macon  
46 and Logan.

47 The seventeenth district, of the counties of Coles, Edgar, Douglas, Ver-  
48 million and Champaign.

49 The eighteenth district of the counties of Cumberland, Clark, Jasper,  
50 Crawford, Clay, Richland, Lawrence, Wayne, Edwards and Wabash.

51 The nineteenth district, of the counties of Macoupin, Montgomery, Shelby  
52 Moultrie, Effingham and Fayette.

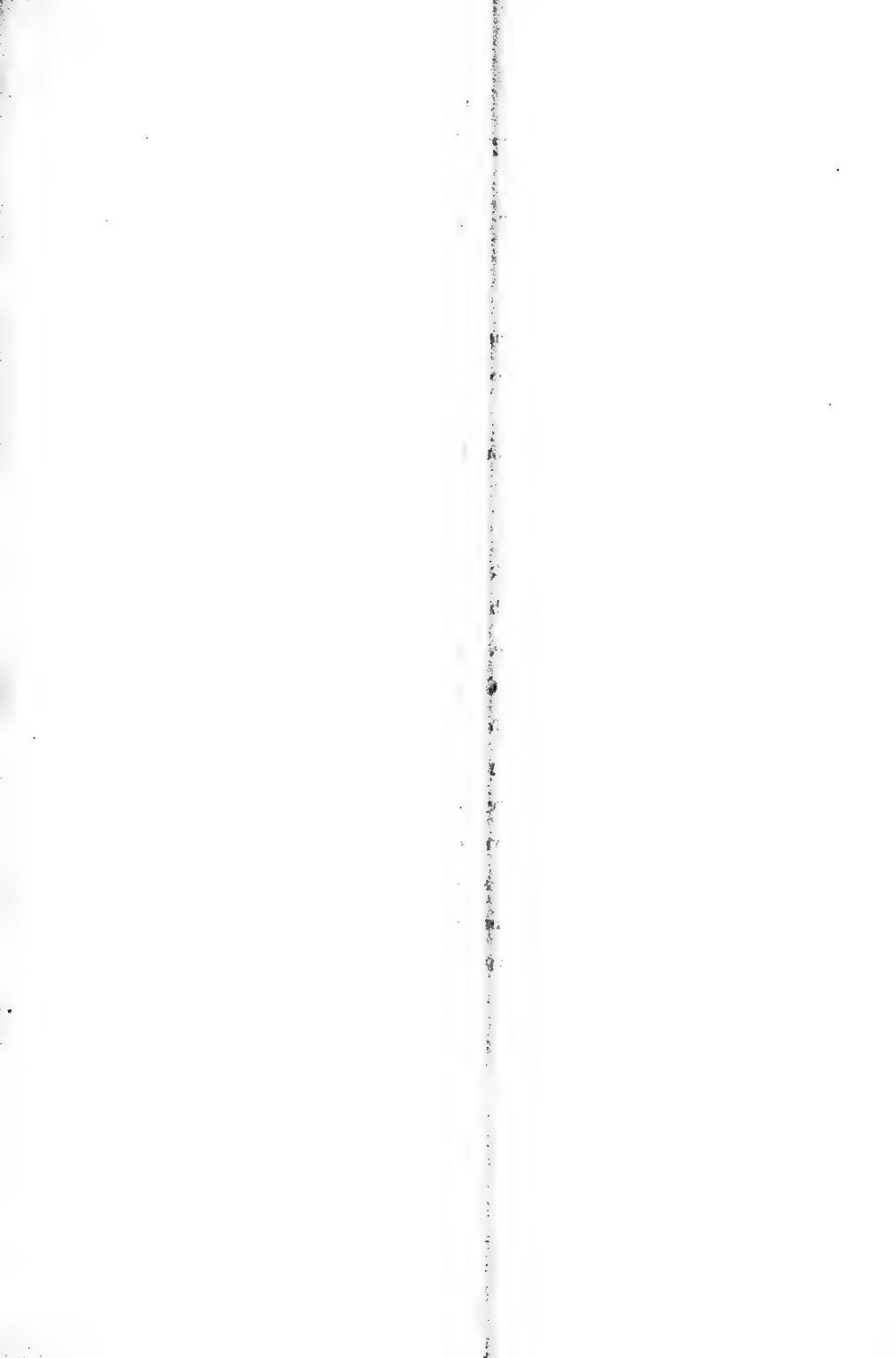
53 The twentieth district, of the counties of Bond, Madison, St. Clair, Mon-  
54 roe and Washington.

55 The twenty-first district, of the counties of Marion, Clinton, Jefferson,  
56 Franklin, Hamilton, White, Saline, Gallatin and Hardin.

57 The twenty-second district, of the counties of Perry, Randolph, Jackson,  
58 Williamson, Union, Johnson, Pope, Alexander, Pulaaki and Massac.

§ 2. One Representative to the Congress of the United States shall be  
2 elected in each of the districts before enumerated on the Tuesday after the  
3 first Monday of November in the year of our Lord 1892, and one in each of  
4 said districts every two years thereafter; such election shall be held and  
5 the returns thereof made and canvassed in the manner provided by law.

§ 3. An act entitled "An act to apportion the State into twenty congress-  
2 ional districts and establish the same and provide for the election of Rep-  
3 resentatives therein," approved April 29, 1882, in force July 1, 1882, is  
4 hereby repealed.





1. Introduced by Mr. Mathews, May 27, 1891, and ordered to first reading.
2. First reading May 27, 1891, and referred to Committee on Congressional Apportionment.
3. Reported back June 3, 1891, passage recommended, and ordered to second reading.
4. Second reading June 9, 1891, and ordered to third reading.

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### A BILL

For an act to apportion the State into twenty-two congressional districts and establish the same, and provide for the election of representatives therein.

---

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That the State of Illinois be and the same is here-  
3 by apportioned into twenty-two congressional districts, and that the same  
4 are hereby established and shall be respectively composed as herein set  
5 forth:

6 The first district shall be composed of the second, third, fourth, thirty-  
7 second, thirty-third and thirty-fourth wards in the city of Chicago.

8 The second district, of the first, seventh, seventeenth, eighteenth, nine-  
9 tenth and twenty-third wards in the city of Chicago, and that part of the  
10 twentieth ward in the city of Chicago lying south of North avenue, and  
11 that part of the sixteenth ward in the city of Chicago lying north of  
12 Milwaukee avenue.

13 The third district, of the fifth, sixth, eighth, twenty-ninth and thirtieth  
14 wards in the city of Chicago.

15 The fourth district, of the eleventh, ~~thirteenth~~, fourteenth and fifteenth  
16 wards in the city of Chicago, and that part of the sixteenth ward in the  
17 city of Chicago lying south of Milwaukee avenue.

18 The fifth district, of the ninth, tenth, twelfth, and twenty-eighth wards  
19 in the city of Chicago, and the towns of Bloom. Orland. Bremen. Lemont,  
20 Rich, Calumet, Thornton, Worth, Palos, Lyons, Cicero, Riverside and Prov-  
21 iso in the county of Cook.

22 The sixth district, of that part of the twentieth ward in the city of  
23 Chicago lying north of North ~~avenue~~, the twenty-first, twenty-second,  
24 twenty-fourth, twenty-fifth, ~~twenty-sixth~~ and twenty-seventh wards in the  
25 city of Chicago, and the towns of Evanston. New Trier, Niles, Northfield,  
26 Maine, Barrington. Palatine, Elk Grove, Schaumburg, Wheeling, Norwood  
27 Park, Hanover and Leyden in the county of Cook.

28 The seventh district, of the counties of Boone, DeKalb, Kane, Lake and  
29 McHenry.

30 The eighth district, of the counties of Carroll, JoDavies, Ogle, Stephenson  
31 and Winnebago.

32 The ninth district, of the counties of Bureau, Henry, Lee, Putnam,  
33 Whiteside, Marshall and Woodford.

34 The tenth district, of the counties of LaSalle, Kendall, Grundy, Livingston  
35 and Ford.

36 The eleventh district, of the counties of DuPage, Will, Kankakee and  
37 Iroquois.

38 The twelfth district of the counties of Fulton, Knox, Peoria and Stark.

39 The thirteenth district, of the counties of Rock Island, Mercer, Henderson,  
40 Warren, Hancock, McDonough and Schuyler.

41 The fourteenth district, of the counties of Cass, Brown, Adams, Pike,  
42 Scott, Green, Jersey and Calhoun.

43 The fifteenth district, of Tazewell, Mason, Menard, Sangamon, Morgan and  
44 Christian.

45 The sixteenth district, of the counties of McLean, DeWitt, Piatt, Macon  
46 and Logan.

47 The seventeenth district, of the counties of Coles, Edgar, Douglas, Ver-  
48 milion and Champaign.

49 The eighteenth district of the counties of Cumberland, Clark, Jasper,  
50 Crawford, Clay, Richland, Lawrence, Wayne, Edwards and Wabash.

51 The nineteenth district, of the counties of Macoupin, Montgomery, Shelby,  
52 Moultrie, Effingham and Fayette.

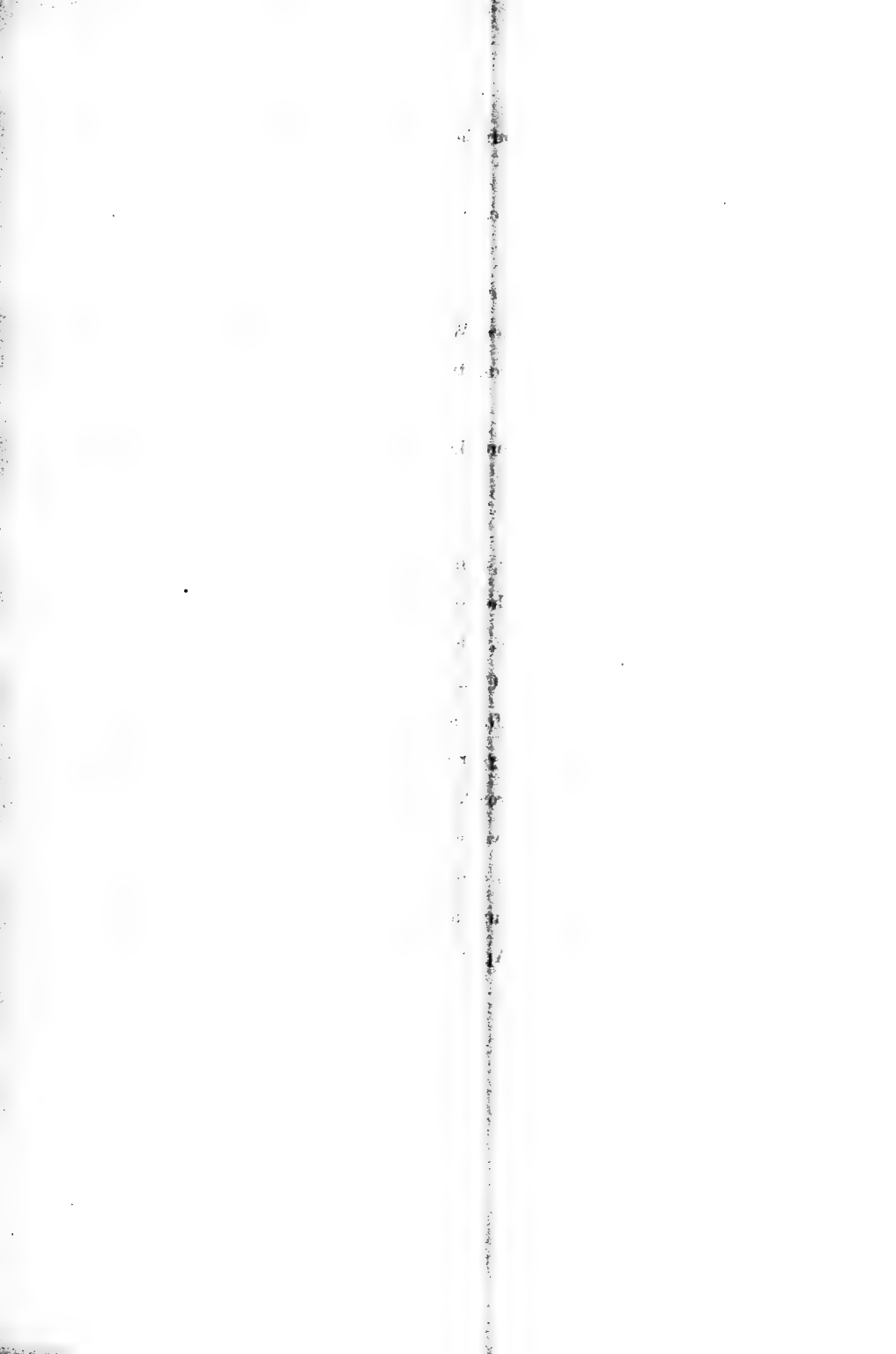
53 The twentieth district, of the counties of Bond, Madison, St. Clair, Mon-  
54 roe and Washington.

55 The twenty-first district, of the counties of Marion, Clinton, Jefferson,  
56 Franklin, Hamilton, White, Saline, Gallatin and Hardin.

57 The twenty-second district, of the counties of Perry, Randolph, Jackson,  
58 Williamson, Union, Johnson, Pope, Alexander, Pulaski and Massac.

§ 2. One Representative to the Congress of the United States shall be  
2 elected in each of the districts before enumerated on the Tuesday after the  
3 first Monday of November in the year of our Lord 1892, and one in each of  
4 said districts every two years thereafter; such election shall be held and  
5 the returns thereof made and canvassed in the manner provided by law.

§ 3. An act entitled "An act to apportion the State into twenty congress-  
2 ional districts and establish the same and provide for the election of Rep-  
3 resentatives therein," approved April 29, 1882, in force July 1, 1882, is  
4 hereby repealed.



1. Introduced by Mr. Chapman, May 27, 1881, and ordered to first reading.
2. First reading May 27, 1891, and referred to Committee on Corporations.
3. Reported back June 4, 1891, passage recommended and ordered to second reading.

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### **A BILL**

For an act to amend an act entitled "An act to provide for and regulate the administration of trusts by trust companies," approved June 15, 1887, in force July 1, 1887, as amended by act approved June 1, 1889, in force July 1, 1889.

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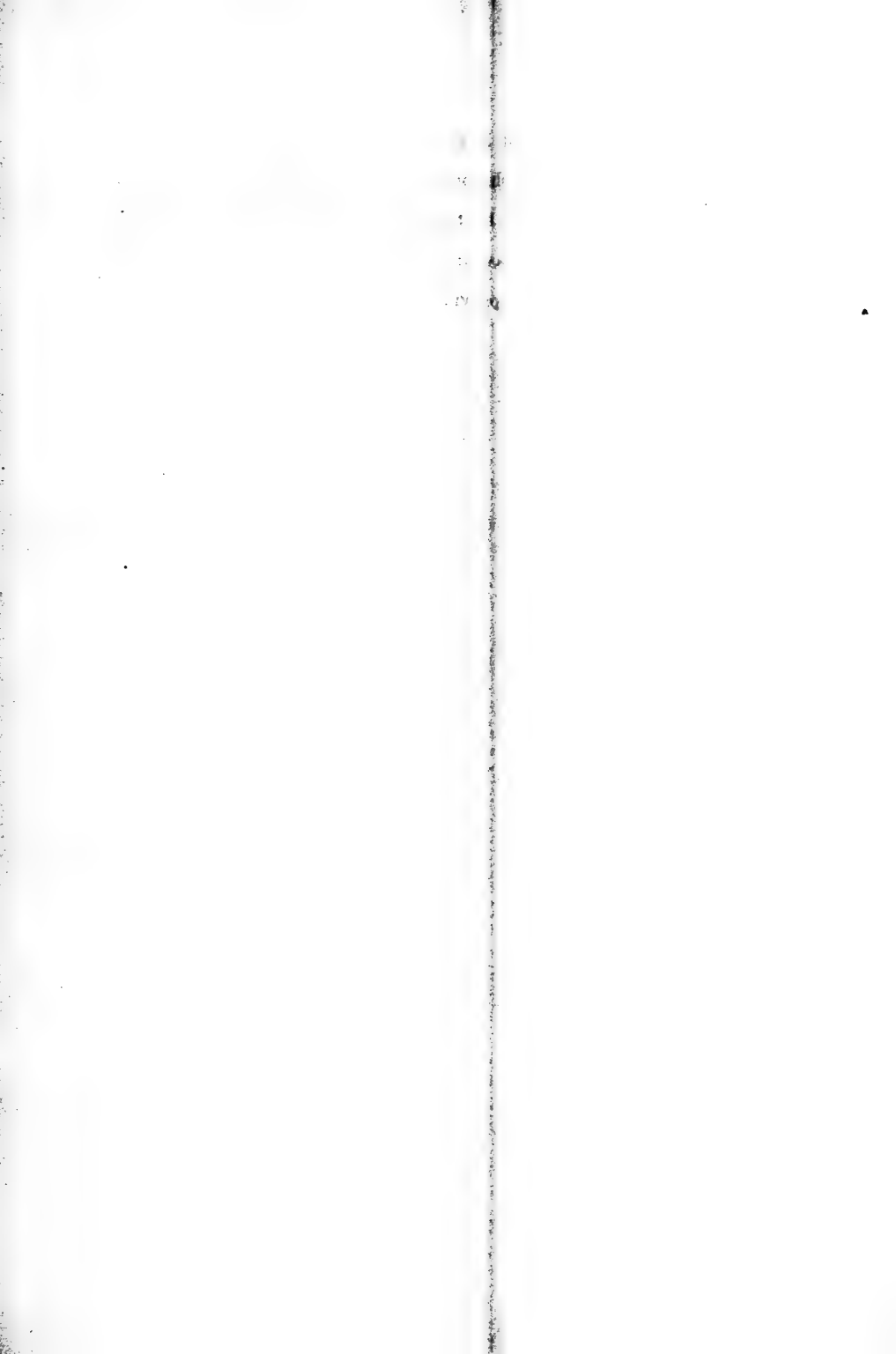
**SECTION 1. Be it enacted by the Senate of the State of Illinois, represented**

2 in the General Assembly, That section 6 of an act entitled "An act to provide for and regulate the administration of trusts by trust companies," approved June 15, 1887, in force July 1, 1887, as amended by act approved June 1, 1889, in force July 1, 1889, be amended so as to read as follows:

Section 6. Each company, before accepting any such appointment or deposit, shall make a deposit with the Auditor of Public Accounts, for the benefit of the creditors of said company, in the sum or sums hereinafter provided, in stocks of the United States or municipal bonds of this State, or in mortgages on improved and productive real estate in this State, being first liens thereon, and the real estate being worth at least twice the amount loaned thereon. The amount of such deposit, where such company shall be

8 organized, incorporated and located in cities or towns having a population  
9 of not exceeding twenty-five thousand inhabitants shall be \$50,000; in cities  
10 having a population of more than twenty-five thousand and less than one  
11 hundred thousand inhabitants, \$100,000; and in cities having one hundred  
12 thousand inhabitants and more, \$200,000: *Provided*, that where any such  
13 company so organized, incorporated and doing business in a city or village  
14 having less than 100,000 inhabitants, shall desire to establish a branch  
15 agency, or office, or engage in business in a city having a population of  
16 more than 100,000 inhabitants, before so doing such company shall make  
17 such deposit of securities with the Auditor of Public Accounts as is now  
18 required to be made in cities having more than 100,000 inhabitants. The  
19 stocks and securities so deposited may be exchanged from time to time for  
20 other securities receivable as aforesaid; said stocks of the United States or  
21 municipal bonds of this State to be registered in the name of said Auditor,  
22 officially, and all said securities to be subject to sale and transfer, and to  
23 the disposal of the proceeds by said Auditor only on the order of a court  
24 of competent jurisdiction and as hereinafter provided in section 18. So  
25 long as the company so depositing shall continue solvent, such company  
26 shall be permitted to receive from said Auditor the interest or dividends  
27 on said deposits: *Provided, however*, that when it shall appear to the Audi-  
28 tor of Public Accounts, from the annual report of such company, that the  
29 value of the personal property and cash held by and possessed by such  
30 company, by virtue of the provisions of this act and any amendment there-  
31 of, exceeds ten times the amount of the deposit aforesaid, he shall require  
32 said company to forthwith increase its said deposit in such securities to a  
33 sum equal to two and one-half times the amount of its original deposit.  
34 And whenever it shall appear to the Auditor of Public Accounts that the  
35 amount of personal property and cash so held by any such company has  
36 been reduced below ten times the value of its original deposit above pro-

37 vided for, and said company is not in any default in its duties and obliga-  
38 tions hereunder, he shall allow such company to reduce its said deposit to  
39 the amount of its original deposit, by the withdrawal of such additional  
40 deposit until such time as an increase in its holdings shall again require an  
41 additional deposit, as hereinbefore provided.





1. Introduced by Mr. Wiles, May 28, 1891, and ordered to first reading.
2. First reading May 28, 1891, and referred to Committee on Judiciary.
3. Reported back June 5, 1891, passage recommended and ordered to second reading.

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## A BILL

For an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 of an act entitled "An act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of Illinois," approved May 30, 1881, in force July 1, 1881.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, of an act entitled "An act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of Illinois," approved May 30, 1881, and in force July 1, 1881, be and the same are hereby amended so as to read as follows: ]

**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That it shall be unlawful for any person who is not at the time of the passage of this act a legal practitioner of dental surgery in this State, as shown by the books of the State Board of Dental Examiners, created under the provisions of an act entitled "An act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of Illinois," approved May 30, 1881, and in force July 1, 1881, to practice or attempt to practice dentistry in this State, unless such person shall have received a license so to practice from the

10 State Board of Dental Examiners, as hereinafter provided: "*Provided*, that  
 11 any person who has been regularly engaged in the practice of dentistry in  
 12 this State for a period of five years at any time prior to the first day of  
 13 July, 1881, shall be allowed to practice dentistry in this State by causing  
 14 his name and residence or place of business to be registered with the board  
 15 of examiners in the book required to be kept by the provisions of section  
 16 four of this act."

Section 2. The Board of Dental Examiners created by an act entitled  
 2 "An act to insure the better education of practitioners of dental surgery  
 3 and to regulate the practice of dentistry in the State of Illinois," approved  
 4 May 30, 1881, in force July 1, 1881, is hereby continued, and the members  
 5 thereof heretofore appointed shall hold their offices until the close of their  
 6 respective terms. Their successors shall be appointed by the Governor,  
 7 annually, for the term of five years, and he shall also fill any vacancy in  
 8 said board. All such appointments shall be of practicing dentists, and no  
 9 person who shall be in any manner pecuniarily interested in, or officially  
 10 connected with, any dental college, or dental department of any school or  
 11 university, shall be appointed a member of said board, and not more than  
 12 three of the members appointed as herein provided shall belong to the same  
 13 political party.

Section 3. The duties of said board shall be to carry into effect the pur-  
 2 poses and enforce the provisions of this act. It shall have power to make  
 3 reasonable rules and regulations for this purpose. It shall annually choose  
 4 one of its members president, and one the secretary thereof, and shall hold  
 5 regular meetings at least twice in each year, and such other meetings and  
 6 at such places as it may by its rules provide. It shall be the duty of the  
 7 board to examine all applicants for registration, to grant licenses to practice  
 8 dentistry to such persons as may be entitled to the same under the provi-  
 9 sions of this act, and to cause the prosecution of all persons violating its

10 provisions. The board shall keep full records of its proceedings and of its  
11 receipts and disbursements and a full and accurate list of all persons  
12 licensed and registered by said board, and such records and lists shall be  
13 public records and at all reasonable times open to public inspection;  
14 and a transcript of the same, or any part thereof,  
15 under the seal of the board and certified by the secretary, shall at  
16 all times and places be competent evidence of the facts therein stated or  
17 recited. A sworn statement by the secretary, under the seal of the board,  
18 that any person is or is not a registered dentist shall be prima facie evi-  
19 dence that such person is or is not entitled to practice dentistry in this  
20 State. The president of the board and its secretary shall have power to  
21 administer oaths, and the board to hear testimony in matters relating to  
22 the duties imposed upon it by law.

Section 4. It shall be the duty of every person who, at the time this act  
2 shall take effect, is a legal practitioner of dentistry in this State, as shown  
3 by the books of registration now kept by said board, and of all persons who  
4 thereafter shall be licensed by said board to practice dentistry within six  
5 months from the date of the passage of this act, to cause his or her name  
6 and residence or place of business to be registered annually at such date  
7 as may be fixed by said board, with said board of examiners, who shall  
8 keep a book for that purpose. The fee for every such registration shall be  
9 fifty cents.

Section 5. Any person not lawfully entitled to practice dentistry at the  
12 time when this act shall take effect who shall desire to practice dentistry in  
3 this State shall appear before said board for examination with reference to  
4 his or her knowledge and skill in dentistry; and if said examination shall  
5 satisfy said board that such person possesses suitable qualifications to practice

dentistry, it shall issue to such person a license to practice dentistry in accordance with the provisions of this act.

Section 6. Any person desiring to practice dentistry prior to meetings of the board of examiners shall apply to some member of said board for examination with reference to his or her qualifications, and if satisfied that the applicant possesses the necessary qualifications, such member shall issue a temporary license to practice dentistry until the next regular meeting thereafter and no longer. Said board of dental examiners shall require each person appearing before it for examination for temporary license to pay said board the sum of five dollars for such examination.

Section 7. Any person shall be regarded as practicing dentistry within the meaning of this act who shall perform upon the human teeth, or parts adjacent thereto, any operation or operations as are commonly known and designated as dental operations or operations in dental surgery, or who shall hold himself or herself out, by means of signs, card advertisements or otherwise, as a dentist or dental surgeon. Any legally qualified practitioner of dentistry, or any properly organized and equipped and reputable dental college, or dental department of any reputable school or university, may take into preceptorship a student or students, who shall be permitted to perform such operations in the offices or infirmaries of such preceptors and under their immediate supervision, and not otherwise: *Provided*, that nothing in this act shall be construed to prevent any legally qualified resident physician and surgeon from extracting teeth, or to prevent any person from using any domestic remedy or other proper means for the relief of pain in case of an emergency: *And provided further*, that nothing contained in section 10 of an act entitled "An act to regulate the practice of medicine in the State of Illinois," approved June 16, 1887, in force July 1, 1887, shall be construed to prevent any legally qualified dentist from practicing dentistry in this State.

Section 8. Said board of dental examiners shall require each person appearing before it for examination as aforesaid to pay said board a fee not exceeding ten dollars, which shall in no case be returned to such applicant. Out of the funds received by said board under the provisions of this act, from the fees or penalties provided in this act, the members of said board may receive as compensation the sum of five dollars (\$5.00) for each day actually engaged in the duties of their office, and all legitimate and necessary expenses incurred in attending its meetings, or in the discharge of other official duty. All moneys received by the board shall be held by the secretary thereof, subject to the order of said board and for its uses in enforcing the provisions of this act; and the secretary shall give such bond as the board may from time to time require. No part of the expenses of the board shall be paid out of the State treasury. Said board shall, on the 15th day of December in each year, make an annual report of its acts and proceedings to the Governor, with an account of all moneys received and disbursed during the previous year.

Section 9. Any violation of the provisions of this act shall subject the party violating the same to a penalty of not less than \$25.00, nor more than \$50.00 for the first offense, and for every subsequent offense not less than \$100.00, nor more than \$200.00. All suits for the recovery of the several penalties prescribed in this act shall be prosecuted in the name of the People of the State of Illinois in any court having jurisdiction, and it shall be the duty of the State's attorney of the county where such offense is committed to prosecute all persons violating the provisions of this act, upon proper complaint being made. One-half of any fines or penalties recovered shall be paid into the common school fund of the county in which the suit shall be brought, and the other half thereof to the secretary of said board for the use thereof: *Provided*, that either party may appeal, in the same time and manner as appeals may be taken in other cases, except that where

14 an appeal is prayed in behalf of the people, no appeal bond shall be re-  
15 quired to be filed whether the appeal be from the justice, or from the county  
16 or circuit court, or from the appellate court. But it shall be sufficient, in  
17 behalf of the People of the State of Illinois, for the use of the board of  
18 dental examiners, to pray an appeal, and thereupon an appeal may be had  
19 without bond or security: *Provided, further*, that no proceeding shall be  
20 commenced against any party for failure to annually register, as provided  
21 for in section 4, until after such party shall have been served with proper  
22 notice of such failure, and the penalty thereby incurred. Each operation  
23 performed and each patient treated contrary to the provisions of this act,  
24 shall be deemed and held as a separate offense.

Section 10. Any person who shall willfully and falsely claim or pretend  
2 to have or hold a certificate of license or registration of this board, or any  
3 similar board of any other State, or who shall willfully or falsely, with  
4 intent to deceive the public, claim or pretend to be a graduate of or hold a  
5 diploma granted by any incorporated dental society or dental college, shall  
6 be subject to the penalties provided in section 9 of this act, to be sued for  
7 and recovered and paid out as in said section provided.

Section 11. All laws or parts of laws in conflict with this act are hereby  
2 repealed.

1. Introduced by Mr. Lehman May 28, 1891, and ordered to first reading.
2. First reading May 28, 1891, and referred to Committee on Senatorial Apportionment.
3. Reported back June 4, 1891, passage recommended, and ordered to second reading.

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## A BILL

For an act to apportion the State of Illinois into senatorial districts, and to repeal an act therein named.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly.* That the State of Illinois be and the same is hereby  
3 apportioned and divided into senatorial districts, as provided in the constitu-  
4 tion, each of which shall be entitled to one Senator and three Representa-  
5 tives as follows, to-wit:

6 1. The seventeenth and eighteenth wards and that part of the eleventh  
7 ward east of the center of Ada street, north of center of Madison street  
8 and south of center of Fulton street, that part of the sixteenth ward south  
9 of the center of Blackhawk street and east of center of Ashland  
10 avenue, and north of center of Milwaukee avenue, that part of the twenty-  
11 third ward south of center of Erie street, and that part of the twenty-fourth  
12 ward south of center of Ontario street, all in the city of Chicago, in the  
13 county of Cook, shall constitute the first district.

14 2. The fourth, thirty-second and thirty-third wards, in the city of Chi-  
15 cago, in the county of Cook, shall constitute the second district.

16 3. The first, second and third wards in the city of Chicago, in the county  
17 of Cook, shall constitute the third district.

18 4. The twenty-ninth and thirtieth wards, in the city of Chicago, in the  
19 county of Cook, shall constitute the fourth district.

20 5. That part of the seventh ward and eighth ward south of the center  
21 of Fourteenth street, and that part of the ninth ward south of the center  
22 of Hastings street, all in the city of Chicago, in the county of Cook, shall  
23 constitute the fifth district.

24 6. The fourteenth and twenty-seventh wards, and that part of the fif-  
25 teenth ward west of the center of Robey street, all in the city of Chicago,  
26 in the county of Cook, shall constitute the sixth district.

27 7. The thirty-first and thirty-fourth wards, in the city of Chicago, and  
28 the towns of Riverside, Lyons, Lemont, Palos, Worth, Calumet, Orland,  
29 Bremen, Thornton, Rich, Bloom, and that part of the town of Proviso lying  
30 south of center of Twenty-second street, continued from the western limits of  
31 the city of Chicago, to the west line of said town, all in the county of Cook,  
32 shall constitute the seventh district.

33 8. The thirteenth ward, that part of the twelfth ward west of the cen-  
34 ter of Hoyne avenue, and that part of the twenty-eighth ward north of  
35 the center of Madison street, in the city of Chicago, in the county of  
36 Cook, shall constitute the eighth district.

37 9. That part of the eleventh ward north of the center of Harrison street  
38 (except that part of said street included in the first district), also that part  
39 of the twelfth ward east of the center of Hoyne avenue, and that part of  
40 the sixteenth ward south of the center of Milwaukee avenue, in the city  
41 of Chicago, in the county of Cook, shall constitute the ninth district.

42 10. The tenth ward, and that part of the twenty-eighth ward south of  
43 the center of Madison street, in the city of Chicago, in the town of Cicero,  
44 and that part of the town of Proviso lying north of the center of Twenty-  
45 second street continued from the western limits of the city of Chicago, to



46 the west line of said town, all in the county of Cook, shall constitute the  
47 tenth district.

48 11. The fifth and sixth wards in the city of Chicago, in the county of  
49 Cook, shall constitute the eleventh district.

50 12. The nineteenth ward, and that part of seventh and eighth wards  
51 north of the center of Fourteenth street, that part of the ninth ward  
52 lying north of the center of Hastings street, and that part of the  
53 eleventh ward south of the center of Harrison street, in the city of Chi-  
54 cago, in the county of Cook, shall constitute the twelfth district.

55 13. That part of the fifteenth ward east of the center of Robey street,  
56 of the sixteenth ward north of the center of Blackhawk street, of the  
57 twentieth ward south of the center of North avenue, of the twenty-second  
58 ward west of the center of north Wells street, and of the twenty-third  
59 ward north of the center of Erie street, in the city of Chicago, in the  
60 county of Cook, shall constitute the thirteenth district.

61 14. The twenty-first ward, that part of the twentieth ward north of the  
62 center of North avenue, of the twenty-second ward east of the center of  
63 north Wells street, of the twenty-fourth ward north of the center of On-  
64 tario street, and of the twenty-fifth ward south of the center of Wrightwood  
65 avenue, in the city of Chicago, in the county of Cook, shall constitute the  
66 fourteenth district.

67 15. The counties of Will and DuPage shall constitute the fifteenth dis-  
68 trict.

69 16. The twenty-sixth ward, that part of the twenty-fifth ward  
70 north of the center of Wrightwood avenue, in the city of Chicago,  
71 and the towns of Evanston, New Trier, Niles, Norwood Park, Leydon, North-  
72 field, Maine, Wheeling, Elk Grove, Palatine, Schaumburg, Barrington and  
73 Hanover, all in the county of Cook, shall constitute the sixteenth district.

74 17. The counties of DeKalb, Lee and Kendall shall constitute the seven-  
75 tenth district.

76 18. The counties of Lake, McHenry and Boone, shall constitute the  
77 eighteenth district.

78 19. The counties of Whiteside and Henry, shall constitute the nine-  
79 tenth district.

80 20. The counties of Winnebago and Ogle, shall constitute the twentieth  
81 district.

82 21. The counties of Rock Island and Mercer, shall constitute the twenty-  
83 first district.

94 22. The counties of JoDavies, Stephenson and Carroll, shall constitute  
85 the twenty-second district.

86 23. The county of LaSalle, shall constitute the twenty-third district.

87 24. The county of Kane, shall constitute the twenty-fourth district.

88 25. The counties of Bureau, Stark, Putnam and Marshall, shall constitute  
89 the twenty-fifth district.

90 26. The counties of Grundy, Ford and Livingston, shall constitute the  
91 twenty-sixth district.

92 27. The counties of Warren, Henderson and Hancock shall constitute  
93 the twenty-seventh district.

94 28. The counties of Knox and Fulton, shall constitute the twenty-eighth  
95 district.

96 29. The counties of Macon, Piatt and DeWitt shall constitute the twenty-  
97 ninth district.

98 30. The county of Peoria shall constitute the thirtieth district.

99 31. The counties of Vermillion and Edgar shall constitute the thirty-first  
100 district.

101 32. The counties of Kankakee and Iroquois shall constitute the thirty-  
102 second district.

103 33. The counties of Moultrie, Shelby and Christian shall constitute the  
104 thirty-third district.

105 34. The counties of Woodford, Tazewell and Logan shall constitute the  
106 thirty-fourth district.

107 35. The counties of Adams and Brown shall constitute the thirty-fifth  
108 district.

109 36. The county of McLean shall constitute the thirty-sixth district.

110 37. The counties of Scott, Morgan and Macoupin shall constitute the  
111 thirty-seventh district.

112 38. The counties of McDonough, Schuyler, Cass and Mason shall consti-  
113 tute the thirty-eighth district.

114 39. The counties of Sangamon and Menard shall constitute the thirty-  
115 ninth district.

116 40. The counties of Champaign, Douglas and Coles shall constitute the  
117 fortieth district.

118 41. The counties of Madison and Bond shall constitute the forty-first  
119 district.

120 42. The counties of Clinton, Washington, Marion and Jefferson shall  
121 constitute the forty-second district.

122 43. The counties of Montgomery, Fayette and Effingham shall constitute  
123 the forty-third district.

124 44. The counties of Clay, Richland, Lawrence, Wayne and Edwards shall  
125 constitute the forty-fourth district.

126 45. The counties of Cumberland, Clark, Jasper and Crawford shall con-  
127 stitute the forty-fifth district.

128 46. The counties of Pike, Greene, Jersey and Calhoun shall constitute  
129 the forty-sixth district.

130 47. The county of St. Clair shall constitute the forty-seventh district.

131 48. The counties of Monroe, Randolph, Perry and Jackson shall consti-  
132 tute the forty-eighth district.

133 49. The counties of Saline, Gallatin, Pope, Hardin and Massac shall  
134 constitute the forty-ninth district.

135 50. The counties of Franklin, Hamilton, White, and Wabash, shall  
136 constitute the fiftieth district.

137 51. The counties of Williamson, Johnson, Pulaski, Alexander and Union  
138 shall constitute the fifty-first district.

§ 2. Wherever the words "ward" or "wards" in the city of Chicago are  
2 used in this act they shall be construed as meaning the wards as existing in  
3 said city at the time of the passage of this act.

§ 3. An act entitled "An act to apportion the State of Illinois into sen-  
2 atorial districts and to repeal an act therein named," approved May 6, 1882,  
3 is hereby repealed.

1. Introduced by Mr. Higbee, May 29, 1891, and ordered to first reading.
2. First reading May 29, 1891, and referred to Committee on Judiciary.
3. Reported back with amendments June 5, 1892, passage recommended and ordered to second reading.

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## A BILL

For an act concerning contracts for the conditional sale or lease of railroad equipment and rolling stock, and providing for the record thereof.

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**SECTION 1.** *Be it enacted by the People of the State of Illinois, represented*

*in the General Assembly.* That whenever any railroad equipment or rolling stock shall hereafter be sold, leased or loaned on the condition that the title to the same, notwithstanding the possession and use of the same by the vendee, lessee or bailee, shall remain the vendor, lessor or bailor, until the terms of the contract as to the payment of the installments, amounts or rentals payable or the performance of other obligations thereunder shall have been fully complied with, but also providing that title thereto shall pass to the vendee, lessee or bailee on full performance of said terms, such contract shall be invalid as to any subsequent judgment creditor or any subsequent purchaser for a valuable consideration without notice, unless

1. The same shall be evidenced by writing, duly acknowledged by the vendee, lessee or bailee before some person authorized by law to take acknowledgments of deeds, and in the form proper for acknowledgments of deeds.

2. Such writing shall be recorded, or a copy thereof filed, in the office of

17 the recorders of each county through or into which the railroad availing  
18 itself of such additional purchase is operated, who shall be entitled to re-  
19 ceive fees now allowed by law for each such copy filed by him.

20 3. Each locomotive or car so sold, leased or loaned shall have the name  
21 of the vendor, lessor or bailor plainly marked upon both sides thereof, fol-  
22 lowed by the word owner, lessor, vendor or bailor, as the case may be.

§ 2. This act shall not be held to apply to or invalidate any contract  
2 heretofore made of the character described in the first section, but the same  
3 shall be and remain valid if recorded according to the provisions of this  
4 act within ninety days from the time this act takes effect.;

§ 3. An act entitled "An act to render valid leases, bailments and con-  
2 ditional sales of railway rolling stock," approved May 30, 1881, is hereby re-  
3 pealed.

1. Introduced by Mr. Hunt May 29, 1891, and ordered to first reading.
2. First reading May 29, 1891, and ordered to second reading without reference.

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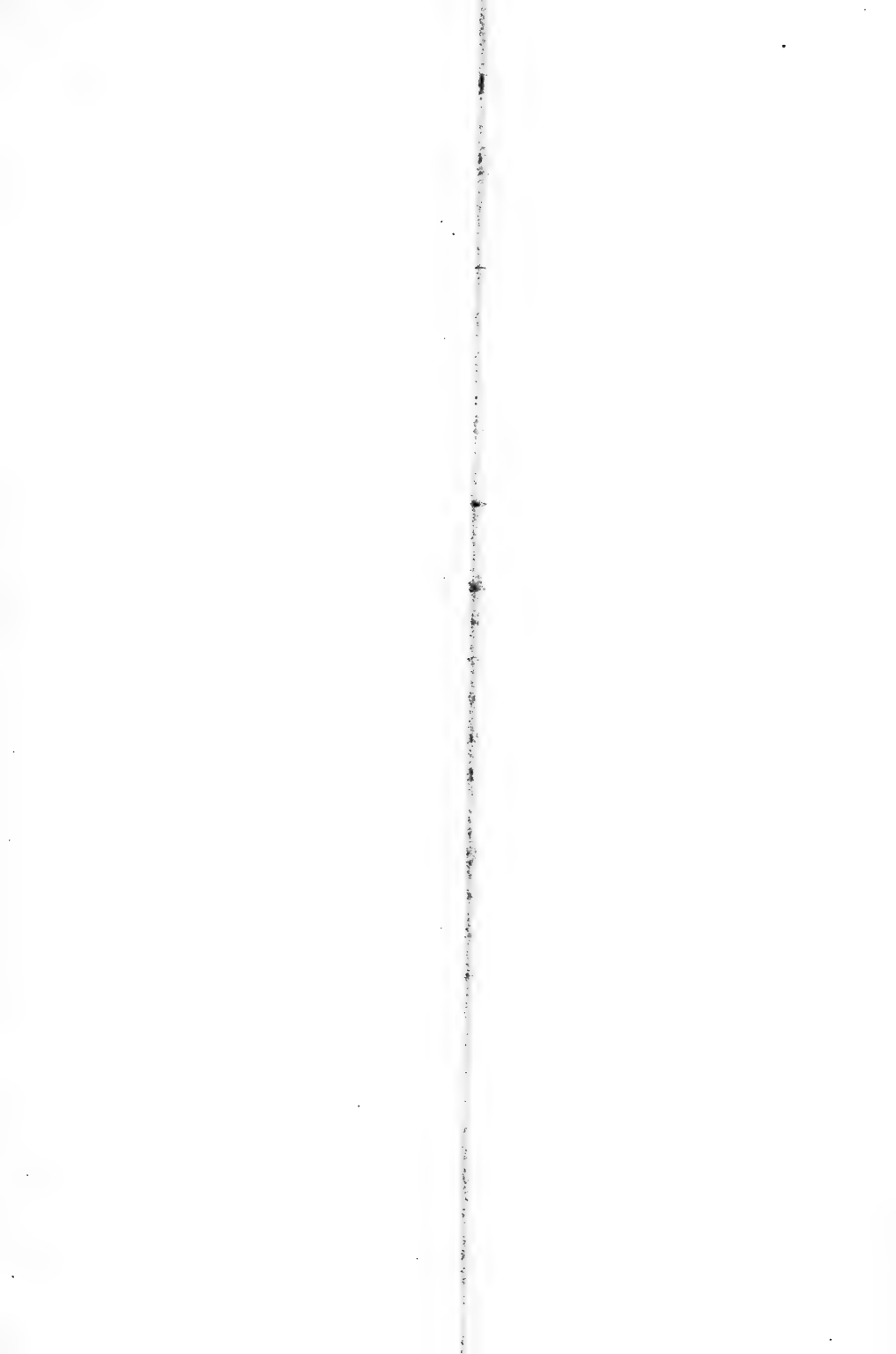
## A BILL

For an act to make an appropriation for the payment of the expenses of the committees of the 37th General Assembly.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That the additional sum of one thousand dollars (\$1,000), or so much thereof as may be necessary, be and is hereby appropriated to pay the expenses of the committees of the present General Assembly while in the discharge of special duties under the direction of either branch thereof, such expenses to be certified and paid as may be provided by resolution of either House.

§ 2. Whereas, the funds already appropriated to the above purpose have been exhausted and the above appropriation is necessary for the transaction of the business of the State, therefore an emergency exists, and this act shall take effect from and after its passage.





**37th Assem.**

**HOUSE.**

**June 1891**

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**AMENDMENTS TO SENATE BILL No. 430—IN HOUSE.**

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Adopted by the House of Representatives June 8, 1891, ordered printed and engrossed, June 8, 1891.

Amend printed Senate bill by striking out of line 3 the words and figures "one thousand dollars (\$1,000)," and insert in lieu thereof the words and figures "two thousand dollars (\$2,000)."

1. Introduced by Mr. Anderson June 2, 1891, and ordered to first reading.
  2. First reading June 2, 1891, and ordered to second reading without reference.
- 

## A BILL

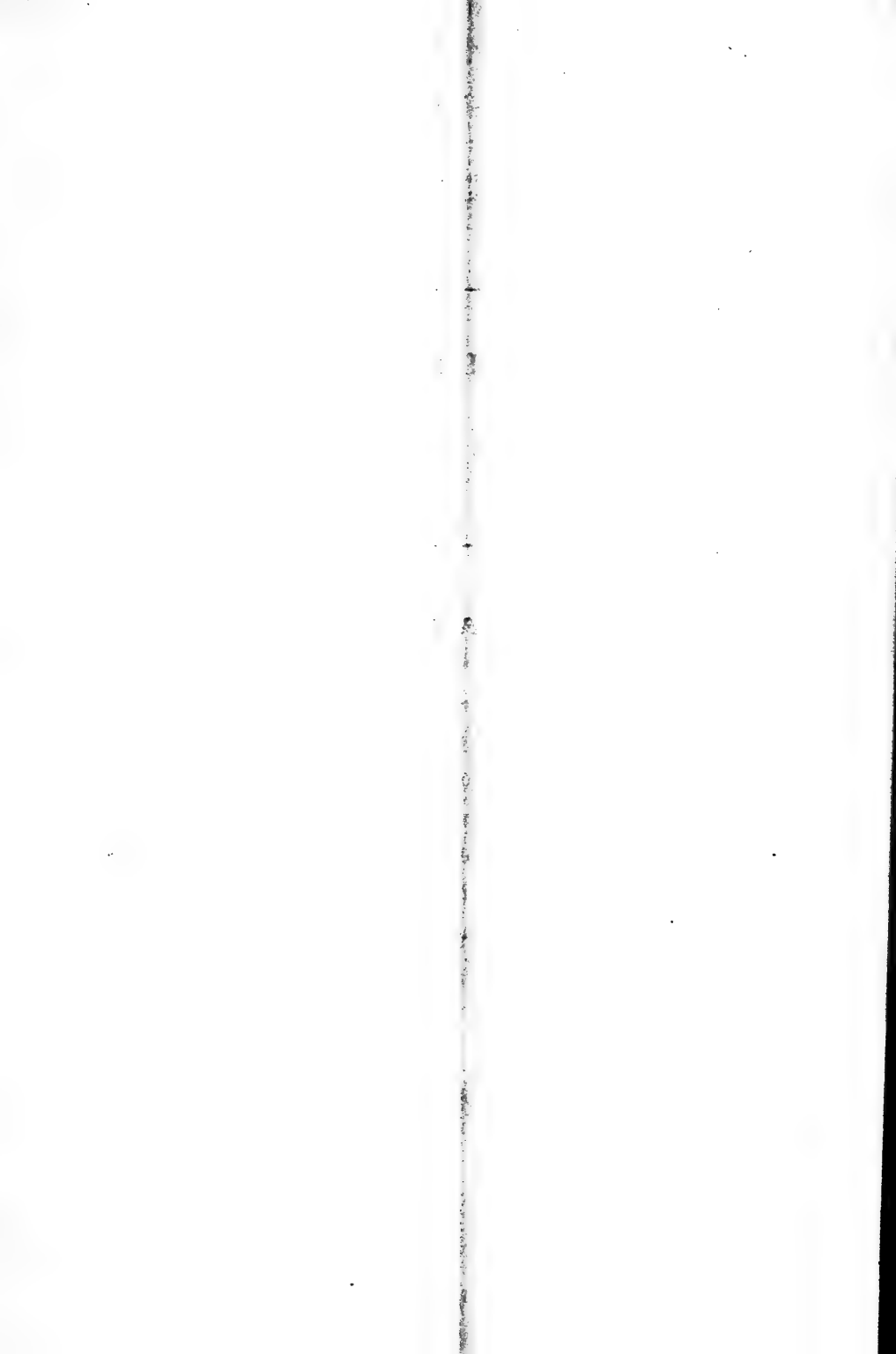
For an act to make an appropriation for the payment of the employees of the  
37th General Assembly.

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**SECTION 1. Be it enacted by the People of the State of Illinois, represented**

2 *in the General Assembly*, That there be and is hereby appropriated the sum  
3 of three thousand dollars (\$3,000) or so much thereof as may be necessary,  
4 to pay the employees of the 37th General Assembly at the rate of compensa-  
5 tion allowed by law; said employees to be paid upon rolls certified to by the  
6 presiding officers of the respective houses, or as otherwise provided by law.

§ 2. Whereas, the above appropriation is necessary for the transaction  
2 of the business of the State, therefore an emergency exists, and this act  
3 shall take effect from and after its passage.



1. Introduced by Mr. Anderson June 3, 1891, and ordered to first reading.
2. First reading June 3, 1891, and referred to Committee on Finance.
3. Reported back June 4, 1891, **passage** recommended and ordered to second reading.

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## A BILL

For an act to provide for the necessary revenue for State purposes.

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**Section 1.** *Be it enacted by the People of the State of Illinois, represented*

2 *in the General Assembly,* That there shall be raised by levying a tax by  
3 valuation upon the assessed taxable property of the State the following sums  
4 for the purposes hereinafter set forth:

5 For general State purposes to be designated "revenue fund" the sum of  
6 one million five hundred thousand dollars (\$1,500,000) upon the assessed  
7 value of property for the year A. D. 1891; one million five hundred thousand  
8 dollars (\$1,500,000) upon the assessed value of property for the year A. D.  
9 1892, and for State school purposes to be designated "State school fund" the  
10 sum of one million dollars (\$1,000,000) upon the assessed taxable property for  
11 the year A. D. 1891, and the sum of one million dollars (\$1,000,000) upon the  
12 assessed taxable property for the year A. D. 1892, in lieu of the two mill tax.

13 The Governor and Auditor shall annually compute the several rates per  
14 cent required to produce not less than the above amounts, any thing in  
15 any other act providing a different manner of ascertaining the amount of  
16 revenue required to be levied for State purposes to the contrary notwith-

17 standing; and when so ascertained the Auditor shall certify to the county  
18 clerks the proper rates per cent therefor, and also such definite rates for  
19 other purposes as are now or may hereafter be provided by law, to be levied  
20 and collected as State taxes; and all laws and parts of laws in conflict with  
21 this act are hereby repealed.

1. Introduced by Mr. Shumway, June 4, 1891, and ordered to first reading.
2. First reading June 4, 1891, and ordered to second reading without reference.

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## A BILL

For an act to apportion the State of Illinois into senatorial districts and to repeal an act therein named.

---

**SECTION 1. *Be it enacted by the People of the State of Illinois, represented***

2 *in the General Assembly.* That, until the taking and return of the next fed-

3 eral census, and the apportionment thereunder, as provided in the constitu-

4 tion, this State shall be divided into senatorial districts, each of which

5 shall be entitled to one senator and three representatives, as follows, to-wit:

6 1. The seventeenth and eighteenth wards and all of that part of the

7 eleventh ward north of the center line of Madison street, in the city of

8 Chicago, in the county of Cook, shall constitute the first district.

9 2. The town of Hyde Park in the county of Cook shall constitute the

10 second district.

11 3. The second and seventh wards and all of that part of the eighth ward

12 lying south of the center line of Sixteenth street in the city of Chicago, in

13 the county of Cook, shall constitute the third district.

14 4. All that part of the twenty-ninth ward lying east of the center line

15 of Western avenue, and all of that part of the thirtieth ward lying east of

16 the center line of Ashland avenue, in the city of Chicago, in the county of

17 Cook, shall constitute the fourth district.

18 5. That part of the eighth ward north of the center line of Sixteenth

19 street, all of the ninth ward and that part of the tenth ward lying north  
 20 of the center line of west Twelfth street and east of the center line of  
 21 Campbell avenue, and that part of the twelfth ward lying south of the  
 22 center line of west Van Buren street and east of the center line of Camp-  
 23 bell avenue, in the city of Chicago, in the county of Cook, shall constitute  
 24 the fifth district.

25 6. The fourth and sixth wards and all of that part of the twenty-eighth  
 26 ward lying southeasterly of the Illinois and Michigan Canal, in the county  
 27 of Cook, in the State of Illinois, shall constitute the sixth district.

28 7. The thirty-first ward, that part of the twenty-ninth ward lying west  
 29 of the center line of Western avenue, and that part of the thirtieth ward  
 30 lying west of the center line of Ashland avenue, and that part of the  
 31 thirty-fourth ward lying west of the center line of State street, in the city  
 32 of Chicago, in the county of Cook, and the towns of Norwood Park, Ley-  
 33 den, Cicero, Proviso, Riverside, Lyons, Lemont, Palos, Orland, Bremen,  
 34 Rich, Bloom, Thornton, Worth, and that part of the town of Calumet lying  
 35 outside of the limits of the city of Chicago, in the county of Cook, shall  
 36 constitute the seventh district.

37 8. The first and nineteenth wards and that part of the eleventh ward  
 38 lying south of the center line of Madison street, in the city of Chicago, in  
 39 the county of Cook, shall constitute the eighth district.

40 9. That part of the thirteenth ward lying north of center line of Lake  
 41 street, all of the fourteenth ward, and that part of the fifteenth ward lying  
 42 south of the center of Cortland street and west of the center of Western  
 43 avenue, and that part of sixteenth ward west of center of Noble street and  
 44 southwesterly of the center of Milwaukee avenue, in the city of Chicago,  
 45 in the county of Cook, shall constitute the ninth district.

46 10. All that part of the tenth ward lying south of the center line of  
 47 west Twelfth street, all that part of the twelfth ward excepting that por-

tion lying east of the center line of Campbell avenue and south of the center line of west Madison street, and all of that part of the thirteenth ward lying south of the center line of west Lake street, and all that part of the twenty-eighth ward lying north of the center line of Thirty-ninth street, in the city of Chicago, in the county of Cook, shall constitute the tenth district.

11. The third and fifth wards of the city of Chicago, in the county of Cook, shall constitute the eleventh district.

12. All that part of the twenty-first ward lying south of center line of Centre Avenue, all of the twenty-second ward, and all of the twenty-third ward lying east of the center line of Franklin street and all of the twenty-fourth ward in the city of Chicago, in the county of Cook, shall constitute the twelfth district.

13. The sixteenth ward, except that part thereof lying west of the center of Noble street and southwesterly of the center of Milwaukee Avenue, and that part of the twenty-third ward lying west of the center line of Franklin street in the city of Chicago in the county of Cook shall constitute the thirteenth district.

14. The twentieth ward, that part of the fifteenth ward lying east of the center line of Western avenue, and that part of the twenty-first ward lying north of the center line of Centre avenue, and that part of the twenty-fifth ward lying south of the center line of Belmont avenue and that part of the twenty-sixth ward lying south of the center line of Diversey avenue in the city of Chicago, in the county of Cook, shall constitute the fourteenth district.

15. The county of Will shall constitute the fifteenth district.

16. The part of the fifteenth ward lying north of the center line of Cortland street and west of the center line of Western avenue, that part of the twenty-fifth ward lying north of the center line of Belmont avenue, that



77 part of the twenty-sixth ward lying north of the center line of Diversey  
 78 avenue, all of the twenty-seventh ward, in the city of Chicago, in the county  
 79 of Cook, in the towns of Evanston, New Trier, Niles, Northfield, Maine,  
 80 Wheeling, Elk Grove, Palatine, Shamburg, Barrington and Hanover, in the  
 81 county of Cook, shall constitute the sixteenth district.

82 17. The counties of Ogle, Lee and DeKalb shall constitute the seventeenth  
 83 district.

84 18. The counties of Lake, McHenry and Boone shall constitute the eight-  
 85 teenth district.

86 19. The counties of Jo Daviess, Carroll and Whiteside shall constitute the  
 87 nineteenth district.

88 20. The counties of Stephenson and Winnebago shall constitute the twentieth  
 89 district.

90 21. The counties of Henry and Rock Island shall constitute the twenty-  
 81 first district.

92 22. The counties of Kane and DuPage shall constitute the twenty-second  
 93 district.

94 23. The county of LaSalle shall constitute the twenty-third district.

95 24. The counties of Kendall, Grundy and Livingston shall constitute the  
 96 twenty-fourth district.

97 25. The counties of Bureau, Putnam, Marshall and Woodford shall consti-  
 98 tute the twenty-fifth district.

99 26. The counties of Kankakee and Iroquois shall constitute the twenty-  
 100 sixth district.

101 27. The counties of Warren, Stark, Knox and Mercer shall constitute the  
 102 twenty-seventh district.

103 28. The county of Peoria shall constitute the twenty-eighth district.

104 29. The counties of Macon and Logan shall constitute the twenty-  
 105 ninth district.

106 30. The counties of McDonough, Hancock and Henderson shall consti-  
 107 tute the thirtieth district.

108 31. The counties of Edgar and Vermilion shall constitute the thirty-first  
 109 district.  
 111 second district.

112 33. The counties of Moultrie, Shelby and Effingham shall constitute the  
 113 thirty-third district.

114 34. The counties of Mason, Tazewell, Cass and Menard shall constitute the  
 115 thirty-fourth district.

116 35. The county of Adams shall constitute the thirty-fifth district.

117 36. The counties of Fulton, Schuyler and Brown shall constitute the thirty-  
 118 sixth district.

119 37. The counties of Pike, Scott and Greene shall constitute the  
 120 thirty-seventh district.

121 38. The counties of Morgan and Macoupin shall constitute the thirty-  
 122 eighth district.

123 39. The county of Sangamon county shall constitute the thirty-ninth  
 124 district.

125 40. The counties of Christian, Montgomery and Bond shall constitute  
 126 the fortieth district.

127 41. The counties of Madison, Jersey and Calhoun shall constitute the  
 128 forty-first district.

129 42. The counties of McLean and DeWitt shall constitute the forty-sec-  
 130 ond district.

131 43. The counties of Fayette, Marion and Clay shall constitute the forty-  
 132 third district.

133 44. The counties of Douglas, Coles, Cumberland and Clark shall con-  
 134 stitute the forty-fourth district.

135 45. The counties of Jasper, Crawford, Richland, Lawrence and Wabash  
 136 shall constitute the forty-fifth district.

137 46. The counties of Clinton, Washington, Perry and Jefferson shall con-  
 138 stitute the forty-sixth district.

139 47. The counties of St. Clair and Monroe shall constitute the forty-  
 140 seventh district.

141 48. The counties of Randolph, Jackson and Union shall constitute the  
 142 forty-eighth district.

143 49. The counties of Hamilton, Franklin, Saline, Pope and Hardin shall  
 144 constitute the forty-ninth district.

145 50. The counties of Wayne, White, Edwards and Gallatin shall consti-  
 146 tute the fiftieth district.

147 51. The counties of Williamson, Johnson, Alexander, Pulaski and Massac  
 148 shall constitute the fifty-first district.

§ 2. Wherever the words "ward" or "wards" in the city of Chicago are  
 2 used in this act, they shall be construed as meaning the wards as existing

§ 3. An act entitled "An act to apportion the State of Illinois into sen-  
 3 torial districts," approved May 6, 1882, in force July 1, 1882, is hereby re-  
 3 pealed.

## JOINT RESOLUTION NO. 8.—REPORTED TO HOUSE

*Resolved by the Senate of the State of Illinois, the House of Representatives concurring therein,* That there shall be submitted to the voters at the next general election for members of the General Assembly a proposition to amend section two (2) of article XIV of the Constitution of this State by striking out and eliminating therefrom the following words, to-wit:

"But the General Assembly shall have no power to propose amendments to more than one article of the Constitution at the same session, nor to the same article oftener than once in four (4) years."

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